

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-02791

Ryan Beck & Co., Inc., (Claimant) vs. Martin Pesin, (Respondent)

ATTORNEYS:

For Claimant appeared in-house counsel Jeffrey B. Cohen, Esq., Livingston, NJ.

Respondent did not submit an Answer to the Statement of Claim.

NATURE OF DISPUTE: Member v. Associated Person

DATE FILED: May 26, 2005

CASE SUMMARY: Claimant alleged that Respondent breached a contract by failing to repay monies owed pursuant to the terms of a Promissory Note. Claimant maintained that due to Respondent's actions, the firm suffered a financial loss.

Claim Data

Claim: \$25,000.00
Interest: Unspecified
Attorney Fees: Unspecified
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$25,000.00
Interest: \$.00
Attorney Fees: \$1,000.00
Filing Fees: \$1,050.00
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is liable and shall pay to the Claimant \$25,000.00. 2) Respondent is liable and shall pay to the Claimant \$1,000.00 for attorney fees pursuant to the terms of the Promissory Note. 3) All requests for interest are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$1,050.00 filing fee that the Claimant deposited previously. 6) Respondent is liable and shall pay Claimant \$1,050.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Claimant has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

OTHER ISSUES: Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that Respondent Martin Pesin was served notice of the Statement of Claim and Notification of Arbitrator by regular mail, and Overdue Notice by certified mail, and is therefore bound by the arbitrator's ruling and determination.

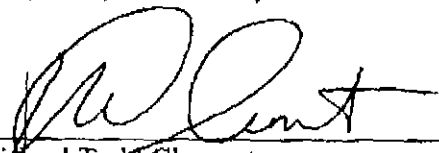
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Michael Todd Clements

Sole Non-Public Arbitrator

AFFIRMATION

I, Michael Todd Clements, do hereby affirm, pursuant to Article 7507 of the Civil Practice Law and Rules, that I am the individual described herein, and who executed this instrument, which is my award.


Michael Todd Clements

M

12/1/05
(Signature Date)

December 6, 2005
Date of Service (For NASD-DR office use only)