

**AWARD**  
**NASD Dispute Resolution**

---

In the Matter of the Arbitration Between

Name of Claimant

Randall Phillip Hallier

and

05-03821  
Kansas City, Missouri

Name of Respondent

Royal Alliance Associates, Inc.

---

Nature of the Dispute: Associated Person vs. Member.

**REPRESENTATION OF PARTIES**

Randall Phillip Hallier ("Claimant") appeared *pro se*.

Royal Alliance Associates, Inc. ("Respondent") was represented by Andrew Nowack, Esq., Royal Alliance Associates, Inc., New York, New York.

**CASE INFORMATION**

The Statement of Claim was filed on or about July 26, 2005. Submission Agreement of Claimant Randall Phillip Hallier was signed on July 19, 2005.

Statement of Answer was filed by Respondent Royal Alliance Associates, Inc. on or about August 23, 2005. Submission Agreement of Respondent Royal Alliance Associates, Inc. was signed on August 23, 2005.

**CASE SUMMARY**

Claimant alleged that Respondent failed to distribute funds from his deferred compensation account in a timely manner.

Respondent specifically stated that Claimant did timely receive a deferred compensation payout. The amount was not correct. Respondent further stated that Claimant did not bring the error to its attention. Respondent stated that the error was not known until 2004, at which time efforts were immediately undertaken to collect the overpayment from the other representative, and promptly returned to Claimant the appropriate amount.

### **RELIEF REQUESTED**

Claimant requested an award in the amount of \$12,641.40.

Respondent requested that the claims asserted in this matter be dismissed in their entirety.

### **OTHER ISSUES CONSIDERED & DECIDED**

The parties have agreed to receive conformed copies of the award while the original(s) remain on file with the NASD Dispute Resolution (the "NASD").

### **AWARD**

After considering the pleadings, the testimony, and the evidence presented at the hearing, the undersigned arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

1. Royal Alliance Associates, Inc. is liable for and shall pay to Randall Phillip Hallier the sum of \$5,607.00 (Five Thousand Six Hundred Seven Dollars and No Cents).
2. That to the extent not specifically awarded or otherwise provided for above, all other claims and requests for relief by any party hereto are denied with prejudice.
3. Other than the Forum Fees noted below, the parties shall each bear all other costs and expenses incurred by them in connection with this proceeding, including but not limited to attorneys fees, not specifically awarded or otherwise provided for above.

### **FEES**

Pursuant to the Code, the following fees are assessed:

#### **Filing Fees**

NASD Dispute Resolution will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee = \$125.00

#### **Member Fees**

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. In this matter, the member firm(s) is Royal Alliance Associates, Inc.

Member surcharge	\$	425.00
Total Member Fees	\$	425.00

### Forum Fees and Assessments

The Arbitrator assesses forum fees for each hearing session conducted. A hearing session is any meeting between the parties and the arbitrator(s), including a pre-hearing conference with the arbitrator(s), that lasts four (4) hours or less. Fees associated with these proceedings are:

1 Hearing sessions	x	\$450.00	\$	450.00
January 11, 2006	1	session		
Total Forum Fees			\$	450.00

The Arbitrator has assessed \$225.00 of the forum fees to Randall Phillip Hallier.  
The Arbitrator has assessed \$225.00 of the forum fees to Royal Alliance Associates, Inc.

### Fee Summary

Claimant, Randall Phillip Hallier, is liable for:

Initial Filing Fee	= \$	125.00
<u>Forum Fees</u>	= \$	225.00
Total Fees	= \$	350.00
<u>Less payments</u>	= \$	-575.00
Balance to be refunded by NASD Dispute Resolution	= \$	- 225.00

Respondent, Royal Alliance Associates, Inc., is liable for:

Member Fees	= \$	425.00
<u>Forum Fees</u>	= \$	225.00
Total Fees	= \$	650.00
<u>Less payments</u>	= \$	-425.00
Balance Due NASD Dispute Resolution	= \$	225.00

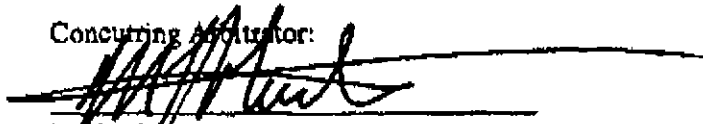
All balances are due to NASD Dispute Resolution

### ARBITRATION PANEL

Michael J. Hunter – Non-Public Arbitrator, Presiding Chair

NASD Dispute Resolution  
Arbitration No. 05-03821  
Award Page 4 of 4

Concursing Arbitrator:



Michael J. Hunter  
Non-Public Arbitrator, Presiding Chair

1-20-06  
Signature Date

Date of Service (For NASD office use only)