

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION**

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CASE: 05-03840

Fidelity Brokerage Services, Inc., (Claimant) vs. James F. Rogers, (Respondent)

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**ATTORNEYS:**

For Claimant appeared Laurence K. Richmond, Esq., of the firm Laurence K. Richmond & Associates, P.C., Quincy, MA.

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

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**NATURE OF DISPUTE:** Member vs. Customer

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**DATE FILED:** July 21, 2005

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**CASE SUMMARY:** Claimant alleged that Respondent failed to repay monies owed due to a debit balance in his account. Claimant maintained that due to Respondent's actions, the firm suffered a financial loss.

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**Claim Data**

Claim: \$12,638.62

Interest: Unspecified

Attorney Fees: Unspecified

Filing Fees: Unspecified

**Award Data**

Award: \$12,638.62

Interest: granted at the rate of 4.5% per annum from 4/8/05-2/6/06.

Attorney Fees: \$00

Filing Fees: \$1,050.00

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**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 \$12,638.62. 2) All requests for attorney fees are denied. 3) Respondent is liable and shall pay to the Claimant interest at the rate of 4.5% per annum from April 8, 2005 until February 6, 2006. 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.

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

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**OTHER ISSUES:** Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that Respondent James F. Rogers 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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Award 05-03840

William J. McDevitt, Esq.

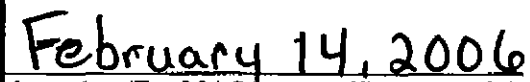
Sole Public Arbitrator

AFFIRMATION

I, William J. McDevitt, Esq., do hereby affirm, upon my oath as arbitrator that I am the individual described herein who executed this instrument, which is my oath and award.

  
William J. McDevitt, Esq.

  
(Signature Date)

  
Date of Service (For NASD-DR office use only)