

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-04393

Hennion & Walsh, Inc., (Claimant/Counterclaim Respondent) vs. Joseph W. Paulter,
(Respondent/Counterclaim Claimant)

ATTORNEYS:

For Claimant/Counterclaim Respondent appeared Daniel J. Reiser, Esq., of the firm Bressler,
Amery & Ross, P.C., Morristown, NJ.

For Respondent/Counterclaim Claimant appeared John A. Conter, Esq., of the firm Spinato,
November, Conte & LaRocca, P.C., Glen Rock, NJ.

NATURE OF DISPUTE: Member v. Associated Person

DATE FILED: August 22, 2005

CASE SUMMARY: Claimant/Counterclaim Respondent alleged that Respondent/Counterclaim
Claimant breached an employment contract by failing to repay monies owed pursuant to the
terms of a Registered Represented Agreement. Claimant/Counterclaim Respondent further
alleged breach of covenant of good faith and fair dealing and quantum meruit.

Claimant/Counterclaim Respondent maintained that due to Respondent/Counterclaim Claimant's
actions, the firm suffered a financial loss.

COUNTERCLAIM SUMMARY: Respondent/Counterclaim Claimant alleged that
Claimant/Counterclaim Respondent owes him compensation for his last two weeks of
employment. Respondent/Counterclaim Claimant maintained that due to Claimant/Counterclaim
Respondent's actions, he suffered a financial loss.

Claim Data

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

Award Data

Award: \$2,375.00
Interest: \$.00
Filing Fees: \$525.00
Other: \$.00

Counterclaim Data

Claim: \$500.00
Interest: Unspecified
Attorney Fees: Unspecified
Filing Fees: Unspecified
Other: Unspecified

Counterclaim Award Data

Award: \$.00
Interest: \$.00
Attorney Fees: \$.00
Filing Fees: \$.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/Counterclaim Claimant is
liable and shall pay to the Claimant/Counterclaim Respondent \$2,375.00. 2) All requests for
interest are denied. 3) All other relief requests are denied. 4) NASD Dispute Resolution shall
retain the \$1,050.00 filing fee that the Claimant/Counterclaim Respondent deposited previously.

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6) Respondent/Counterclaim Claimant is liable and shall pay Claimant/Counterclaim Respondent \$525.00 as reimbursement of one half of the filing fee.

COUNTERCLAIM AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The claims of Respondent/Counterclaim Claimant are dismissed in their entirety. 2) All requests for attorney fees are denied. 3) All requests for interest are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$50.00 filing fee that the Respondent/Counterclaim Claimant deposited previously.

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

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W. Jeffrey Weinlandt

Sole Non-Public Arbitrator

AFFIRMATION

I, W. Jeffrey Weinlandt, 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.

W. Jeffrey Weinlandt
W. Jeffrey Weinlandt

January 19, 2006
(Signature Date)

February 14, 2006

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