

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

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CASE: 05-04966

Oppenheimer & Co., Inc., (Claimant) vs. Peter L. Totaro, (Respondent)

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**ATTORNEYS:**

For Claimant appeared in-house counsel Eric J. Shames, Esq., New York, NY.

Respondent appeared *pro se*, New York, NY.

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**NATURE OF DISPUTE:** Member v. Associated Person

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**DATE FILED:** September 21, 2005

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

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**Claim Data**

Claim: \$10,845.00

Interest: Unspecified

Attorney Fees: Unspecified

Filing Fees: Unspecified

**Award Data**

Award: \$.00

Interest: \$.00

Attorney Fees: \$.00

Filing Fees: \$.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) The claims of the 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 \$1,050.00 filing fee that the Claimant deposited previously.

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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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Award 05-04966

Linda Yarden, Esq.

Sole Non-Public Arbitrator

AFFIRMATION

I, Linda Yarden, Esq., 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.

  
Linda Yarden, Esq.

March 26, 2006  
(Signature Date)

March 30, 2006  
Date of Service (For NASD-DR office use only)