

**Award
NASD Dispute Resolution**

In the Matter of the Arbitration Between:

Name of the Claimant
Thomas O. Edwards, Jr.

Case Number: 05-05232

Name of the Respondent
Synergy Investment Group, LLC

Hearing Site: Atlanta, Georgia

Nature of the Dispute: Associated Person v. Member.

REPRESENTATION OF PARTIES

Thomas O. Edwards, Jr., hereinafter referred to as "Claimant," appeared *pro se*.

For Synergy Investment Group, LLC, hereinafter referred to as "Respondent": Jeffrey D. Jones, Corporate Counsel, Synergy Investment Group, LLC, Kannapolis, North Carolina.

CASE INFORMATION

Statement of Claim filed on or about: October 7, 2005.
Claimant signed the Uniform Submission Agreement on: October 3, 2005.
Answer and Affirmative Defenses filed on or about: December 7, 2005.
Respondent signed the Uniform Submission Agreement on: December 6, 2005.
Claimant's Emergency Motion for Summary Judgment filed on or about: August 3, 2006.
Respondent's Response to Claimant's Emergency Motion for Summary Judgment filed on or about: August 7, 2006.

CASE SUMMARY

Claimant asserted a claim for breach of contract. The cause of action relates to Respondent's alleged failure to pay Claimant commissions in connection with fees earned in the sale of Airport Revenue Bonds for Augusta, Georgia.

Unless specifically admitted in its Answer, Respondent denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimant requested: 1) compensatory damages in the amount of \$28,737.00; 2) punitive damages in the amount of \$28,737.00; 3) interest in the amount of \$2,248.00; and 4) forum fees in the amount of \$750.00.

Respondent requested: 1) dismissal of the Statement of Claim, with prejudice; 2) an award of fees, expenses, and reasonable attorneys' fees; and 3) an award of any other

relief the Panel deems just and proper.

OTHER ISSUES CONSIDERED AND DECIDED

Claimant filed a Motion for Summary Judgment to which Respondent objected. At the outset on the evidentiary hearing on August 8, 2006, the Panel denied Claimant's Emergency Motion for Summary Judgment.

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

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

Respondent is liable on the claim of breach of contract and shall pay to Claimant compensatory damages in the amount of \$ 28,737.00, plus interest at the rate of 4% per annum, accruing from April 15, 2005 until the date of payment of the Award.

Respondent is liable and shall pay to Claimant \$112.50 representing reimbursement of one half of the claim filing fee previously paid by Claimant to NASD Dispute Resolution.

Any and all claims for relief not specifically addressed herein, including Claimant's request for punitive damages, and Respondent's request for attorneys' fees, are denied.

FEES

Pursuant to the NASD Code of Arbitration Procedure ("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	= \$ 225.00
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Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the events giving rise to the dispute. Accordingly, Respondent is a party and a member firm.

Member surcharge	= \$1,100.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$1,700.00
Total Member Fees	= \$3,550.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

There were no adjournments requested during these proceedings for which fees were assessed.

Three-Day Cancellation Fees

Fees apply when a hearing on the merits is postponed or settled within three business days before the start of a scheduled hearing session:

There were no three-day cancellation fees assessed during these proceedings.

Injunctive Relief Fees

Injunctive relief fees are assessed to each member or associated person who files for a temporary injunction in court. Parties in these cases are also assessed arbitrator travel expenses and costs when an arbitrator is required to travel outside his or her hearing location and additional arbitrator honoraria for the hearing for permanent injunction. These fees, except the injunctive relief surcharge, are assessed equally against each party unless otherwise directed by the Panel.

There were no injunctive relief fees assessed during these proceedings.

Forum Fees and Assessments

The Panel has assessed forum fees for each session conducted or each decision rendered on a discovery-related motion on the papers. A session is any meeting between the parties and the arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with Panel @ \$750.00/session	= \$ 750.00
Pre-hearing conference: February 10, 2006 1 session	

Two (2) Hearing sessions @ \$750.00/session	= \$1,500.00
Hearing Date: August 8, 2006 sessions	

Total Forum Fees	= \$2,250.00
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The Panel has assessed \$375.00 of the forum fees to the Claimant.

The Panel has assessed \$1,875.00 of the forum fees to the Respondent.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but are not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

There were no administrative costs incurred during these proceedings.

Fee Summary

Claimant is solely liable for:

Initial Filing Fee	= \$ 225.00
Forum Fees	= \$ 375.00
Total Fees	= \$ 600.00
Less payments	= \$ 600.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondent is solely liable for:

Member Fees	= \$3,550.00
Forum Fees	= \$1,875.00
Total Fees	= \$5,425.00
Less payments	= \$3,550.00
Balance Due NASD Dispute Resolution	= \$1,875.00

All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

<i>Fredrick T.W. Reed</i>	-	<i>Non-Public Arbitrator, Presiding Chairperson</i>
<i>Stephen B. Agricola</i>	-	<i>Non-Public Arbitrator</i>
<i>Mary O. Pitts, Esq.</i>	-	<i>Non-Public Arbitrator</i>

Concurring Arbitrators' Signatures

/s/	08/11/2006
<u>Fredrick T.W. Reed</u> Non-Public Arbitrator, Presiding Chairperson	<u>Signature</u> <u>Date</u>
/s/	08/11/2006
<u>Stephen B. Agricola</u> Non-Public Arbitrator	<u>Signature</u> <u>Date</u>
/s/	08/10/2006
<u>Mary O. Pitts, Esq.</u> Non-Public Arbitrator	<u>Signature</u> <u>Date</u>

August 11, 2006

Date of Service (For NASD Dispute Resolution office use only)

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Fredrick T.W. Reed
Non-Public Arbitrator, Presiding Chairperson

Aug 11, 2006
Signature Date

Stephen B. Agricola
Non-Public Arbitrator

Signature Date

Mary O. Pitts, Esq.
Non-Public Arbitrator

Signature Date

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Aug. 11. 2006 11:04AM NASD

NASD Dispute Resolution

Arbitration No. 05-05232

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Fredrick T.W. Reed
Non-Public Arbitrator, Presiding Chairperson

Signature Date


Stephen B. Agricola
Non-Public Arbitrator

8-11-06
Signature Date

Mary O. Pitts, Esq.
Non-Public Arbitrator

Signature Date

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NASD Dispute Resolution
Arbitration No. 05-05232
Award Page 4 of 4

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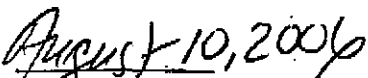
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