

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

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CASE: 05-06604

Wells Fargo Investments, LLC, (Claimant) vs. Joshua R. Ballinger, (Respondent)

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**ATTORNEYS:**

For Claimant appeared Diane C. Fischer, Esq., of the firm Kane & Fischer, Ltd., Chicago, IL.

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

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

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**DATE FILED:** December 23, 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 promissory note. Claimant maintained that due to Respondent's actions, the firm suffered a financial loss.

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**Claim Data**

Claim: \$8,599.05  
Interest: Unspecified  
Attorney Fees: Unspecified  
Filing Fees: Unspecified  
Other: Unspecified

**Award Data**

Award: \$8,599.05  
Interest: \$.00  
Attorney Fees: \$.00  
Filing Fees: \$375.00  
Other: \$.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 \$8,599.05. 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 \$750.00 filing fee that the Claimant deposited previously. 6) Respondent is liable and shall pay Claimant \$375.00 as reimbursement of one half 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 \$325.00 Member Surcharge previously invoiced.

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**OTHER ISSUES:** Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that Respondent Joshua R. Ballinger was served notice of the Statement of Claim and Notification of Arbitrator by regular mail, and Overdue Notice by certified mail, as evidenced by the signed signature card on file and is therefore bound by the arbitrator's ruling and determination.

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Award 05-06604

Robert L. Smith

Sole Non-Public Arbitrator

AFFIRMATION

I, Robert L. Smith, 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.

Robert L. Smith  
Robert L. Smith

7/9/06  
(Signature Date)

July 12, 2006  
Date of Service (For NASD-DR office use only)