

AWARD
NASD Dispute Resolution

In the Matter of the Arbitration Between

Name of Claimant

Prudential Equity Group, LLC

and

Case Number: 05-06646
Hearing Site: Houston, Texas

Name of Respondent

Thomas R. Griffin

NATURE OF DISPUTE

Member Firm v. Associated Person

REPRESENTATION OF PARTIES

Prudential Equity Group, LLC ("**Claimant**" or "**Prudential**") was represented by David W. Schmidt, Esq., Lubiner & Schmidt, Cranford, New Jersey.

Thomas R. Griffin ("**Respondent**" or "**Griffin**") did not make an appearance.

CASE INFORMATION

The Statement of Claim was filed on or about December 28, 2005. The Submission Agreement of Claimant, Prudential Equity Group, LLC, was signed on or about October 3, 2005.

Respondent Griffin did not file a Statement of Answer or a Submission Agreement.

CASE SUMMARY

Claimant asserted the following causes of action: failure to repay promissory note. Claimant alleged that Respondent defaulted on his promissory note. Respondent first executed a Promissory Note that was effective on or about November 8, 2000 (the "Note"). On or about May 14, 2001, Respondent executed an amended to the repayment terms of the Note. On or about June 28, 2002, Respondent was terminated and there remained a principal balance of \$306,669.56 due and owing to Prudential. The Note further provided that should Respondent default in the timely payment of any portion of the principal amount, Respondent is obligated to pay interest on any such outstanding amount, plus to pay any and all costs and expenses, including, without limitation, reasonable attorneys'

fees and disbursements incurred by Prudential.

RELIEF REQUESTED

Claimant requested an award in the amount of:

Actual/Compensatory Damages	\$306,669.56
Interest	Unspecified
Attorneys' Fees	Unspecified
Costs	Unspecified
Other Monetary Relief	Unspecified

OTHER ISSUES CONSIDERED & DECIDED

By letter dated April 4, 2006, Claimant opted to proceed against Respondent Griffin pursuant to Rule 10314(e) of the NASD Code of Arbitration Procedure ("Code").

The arbitrator determined that Respondent Griffin was properly served notice of the Statement of Claim and Notification of the arbitrator by certified mail, and that Respondent Griffin is required to submit to arbitration pursuant to the Code and is bound by the determination of the Arbitrator on all issues submitted.

AWARD

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

- 1.) Respondent, Thomas R. Griffin, is liable for and shall pay to Claimant, Prudential Equity Group, LLC, the sum of \$306,669.56 in compensatory damages;
- 2.) Respondent, Thomas R. Griffin, is liable for and shall pay to Claimant, Prudential Equity Group, LLC, interest on the above-stated sum at the rate of 5% per annum from and including June 29, 2002 through and including the date this Award is paid in full pursuant to the terms of the Promissory Note;
- 3.) Respondent, Thomas R. Griffin, is liable for and shall pay to Claimant, Prudential Equity Group, LLC, the sum of \$7,378.92 in attorneys' fees pursuant to the terms of the Promissory Note;
- 4.) Respondent, Thomas R. Griffin, is liable for and shall pay to Claimant,

Prudential Equity Group, LLC, the sum of \$3,450.00 in costs pursuant to the terms of the Promissory Note; and

- 5.) Any relief not specifically enumerated, including punitive damages, is hereby denied with prejudice.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution will retain the non-refundable filing fee for each claim:

Initial claim filing fee = \$ 1,000.00

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. In this matter, the member firm is Prudential Equity Group.

Member surcharge = \$ 1,700.00

Pre-hearing process fee = \$ 750.00

Forum Fees and Assessments

The Arbitration Panel assesses forum fees for each hearing session conducted. A hearing session is any meeting between the parties and the arbitrator, including a pre-hearing conference with the arbitrator, that lasts four (4) hours or less. Fees associated with these proceedings are:

Default Proceedings = \$ 300.00

Total Forum Fees = \$ 300.00

The Arbitration Panel has assessed \$300.00 of the forum fees to Thomas R. Griffin.

Fee Summary

Claimant, Prudential Equity Group, LLC, is liable for:

Initial Filing Fee = \$ 1,000.00

Member Fees = \$ 2,450.00

Total Fees = \$ 3,450.00

Less payments = \$ 4,575.00

Refund Due to Claimant = \$ 1,125.00

Respondent, Thomas R. Griffin, is liable for:

Forum Fees	= \$	300.00
Total Fees	= \$	300.00
Less payments	= \$	0.00
Balance Due NASD Dispute Resolution	= \$	300.00

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

ARBITRATOR

J. Mark Malone - Non-Public Arbitrator, Presiding Chair

Arbitrator's signature:

/s/ J. Mark Malone
J. Mark Malone
Non-Public Arbitrator, Presiding Chair

May 18, 2006
Signature Date

May 18, 2006
Date of Service (For NASD office use only)

Respondent, Thomas R. Griffin, is liable for:

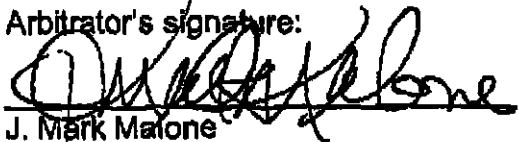
Forum Fees	= \$	300.00
Total Fees	= \$	300.00
Less payments	= \$	0.00
Balance Due NASD Dispute Resolution	= \$	300.00

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

ARBITRATOR

J. Mark Malone - Non-Public Arbitrator, Presiding Chair

Arbitrator's signature:



J. Mark Malone
Non-Public Arbitrator, Presiding Chair

5/18/06
Signature Date

Date of Service (For NASD office use only)