

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

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CASE: 06-00587

David Shaw Butterworth, (Claimant/Counterclaim Respondent) vs. Securities Service Network, Inc., (Respondent/Counterclaim Claimant)

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**ATTORNEYS:**

Claimant/Counterclaim Respondent appeared *pro se*, Lancaster, PA.

For Respondent/Counterclaim Claimant appeared in-house counsel Ronald T. Klimas, Knoxville, TN.

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

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**DATE FILED:** February 3, 2006

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**CASE SUMMARY:** Claimant/Counterclaim Respondent alleged breach of contract, wrongful termination and defamation. Claimant/Counterclaim Respondent further alleged that Respondent/Counterclaim Claimant uses false recruitment advertising. Claimant/Counterclaim Respondent maintained that due to Respondent/Counterclaim Claimant's actions, he suffered financial losses.

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**COUNTERCLAIM SUMMARY:** Respondent/Counterclaim Claimant alleged that Claimant/Counterclaim Respondent failed to repay monies owed for commission. Respondent/Counterclaim Claimant maintained that due to Claimant/Counterclaim Respondent's actions, the firm suffered a financial loss.

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**Claim Data**

Claim: \$383.00  
Punitive: \$24,616.70  
Attorney Fees: Unspecified  
Filing Fees: Unspecified  
Specific Performance: change recruitment advertising

**Award Data**

Award: \$.00  
Punitive: \$.00  
Attorney Fees: \$.00  
Filing Fees: \$.00  
Specific Performance: Denied

**Counterclaim Data**

Claim \$1,077.68  
Interest: Unspecified

Filing Fees: Unspecified

**Counterclaim Award Data**

Award: \$1,077.68  
Interest: granted at the statutory rate of the State of Tennessee per annum from the date of filing the counterclaim to the date of payment of the award.  
Filing Fees: \$350.00

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/Counterclaim Respondent are dismissed in their entirety. 2) All requests for attorney fees are denied. 3) All requests for punitive damages are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant/Counterclaim Respondent deposited previously.

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COUNTERCLAIM AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Claimant/Counterclaim Respondent is liable and shall pay Respondent/Counterclaim Claimant \$1,077.68. 2) Claimant/Counterclaim Respondent is liable and shall pay Respondent/Counterclaim Claimant interest at the statutory rate of the State of Tennessee per annum from the date of filing the counterclaim to the date of payment of the award. 3) NASD Dispute Resolution shall retain the \$350.00 filing fee that the Respondent/Counterclaim Claimant deposited previously. 4) Claimant/Counterclaim Respondent is liable and shall pay Respondent/Counterclaim Claimant \$350.00 as reimbursement of the filing fee.

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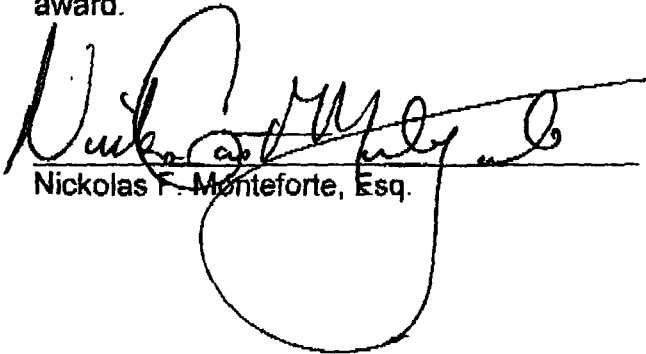
OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent/Counterclaim Claimant has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

Nickolas F. Monteforte, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Nickolas F. Monteforte, Esq., 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.



Nickolas F. Monteforte, Esq.

6-23-06  
(Signature Date)

June 27, 2006  
Date of Service (For NASD-DR office use only)