

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

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CASE: 06-01399

First Montauk Securities Corp., (Claimant) vs. Carlos Garceran, (Respondent)

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**ATTORNEYS:**

For Claimant appeared Michael S. Colombo, President/CEO of the firm Streetwide Asset Recovery Group, Inc., Lyndhurst, NJ.

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:** March 16, 2006

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**CASE SUMMARY:** Claimant alleged that Respondent breached an employment 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: \$10,431.45  
Interest: \$.00

Filing Fees: \$875.00  
Other: \$3,129.43

**Award Data**

Award: \$10,431.45  
Interest: granted at the rate of  
3.5% per annum from July 1,  
2003-date of payment of award.  
Filing Fees: \$1,050.00  
Other: \$3,129.43

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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 \$10,431.45. 2) Respondent is liable and shall pay to the Claimant interest at the rate of 3.5% per annum from July 1, 2003 until the date of payment of the award. 3) Respondent is liable and shall pay to the Claimant \$3,129.43 for collection fees. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$1,050.00 filing fee that the Claimant deposited previously. 6) Respondent is liable and shall pay Claimant \$1,050.00 as reimbursement 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 \$425.00 Member Surcharge previously invoiced.

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**OTHER ISSUES:** Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that Respondent Carlos Garceran was served notice of the Statement of Claim and Notification of Arbitrator by regular mail, and Overdue Notice by certified mail, and is therefore bound by the arbitrator's ruling and determination.

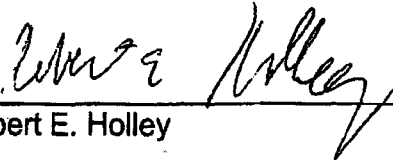
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Award 06-01399

Robert E. Holley

Sole Non-Public Arbitrator

AFFIRMATION

I, Robert E. Holley, 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 E. Holley

10-3-06  
(Signature Date)

October 4, 2006  
Date of Service (For NASD-DR office use only)