

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 06-01472

Fidelity Brokerage Services, LLC, (Claimant) vs. Anthony Pena, (Respondent)

ATTORNEYS:

For Claimant appeared Laurence K. Richmond, Esq., of the firm Laurence K. Richmond & Associates, P.C., Quincy, MA.

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

NATURE OF DISPUTE: Member v. Customer

DATE FILED: March 20, 2006

CASE SUMMARY: Claimant alleged that Respondent failed to repay monies owed which resulted from a debit balance in his account. Claimant maintained that due to Respondent's actions, the firm suffered a financial loss.

Claim Data

Claim: \$10,729.42
Interest: Unspecified

Attorney Fees: Unspecified
Filing Fees: Unspecified

Award Data

Award: \$10,729.42
Interest: granted at the
rate of 5% per annum
from 1/5/06-7/25/06
Attorney Fees: \$.00
Filing Fees: \$1,050.00

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 \$10,729.42. 2) All requests for attorney fees are denied. 3) Respondent is liable and shall pay to the Claimant interest at the rate of 5% per annum from January 5, 2006 to July 25, 2006. 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.

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

OTHER ISSUES: Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that Respondent Anthony Pena 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.

Helen Marinak Blohm, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Helen Marinak Blohm, 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.

Helen M. Blohm

Helen Marinak Blohm, Esq.

8/4/06

(Signature Date)

August 15, 2006

Date of Service (For NASD-DR office use only)