

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 06-01789

Stewart Laurie McFadden, (Claimant) vs. Wells Fargo Investments, LLC,
(Respondent)

ATTORNEYS:

Claimant appeared pro se, Colorado Springs, CO.

For Respondent appeared in-house counsel Thomas F. Kopshever, Esq., San Francisco, CA.

NATURE OF DISPUTE: Associated Person vs. Member

DATE FILED: April 6, 2006

CASE SUMMARY: Claimant alleged libel or slander on his Form U-5. Claimant further alleged defamation and suitability. Claimant requested expungement.

Claim Data

Claim: \$1.00
Expungement: Requested

Award Data

Award: \$.00
Expungement: Granted

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Claimant's request for expungement is granted. The Panel recommends the expungement of all reference to NASD Arbitration Case Number 03-03979, Julianna Van Wyhe vs. Wells Fargo Investments and Stewart L. McFadden, from Claimant Stewart L. McFadden's (CRD Number 2206892) registration records maintained by the Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notice to Members 04-16, Claimant Stewart L. McFadden must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive. Unless specifically waived in writing by the NASD, parties seeking judicial confirmation of an arbitration award containing expungement relief must name NASD as an additional party and serve NASD with all appropriate documents. Pursuant to Rule 2130, the arbitration panel has made the following affirmative findings of fact: The claim, allegation, or information is false. 2) All other relief requests are denied. 3) NASD Dispute Resolution shall retain the \$50.00 filing fee that the Claimant deposited previously.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent has paid to NASD Dispute Resolution the \$150.00 Member Surcharge previously invoiced.

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Samuel L. McClaren, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Samuel L. McClaren, 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.


Samuel L. McClaren, Esq.

8/18/06
(Signature Date)

August 21, 2006
Date of Service (For NASD-DR office use only)