

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

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CASE: 06-02077

New Castle Financial Group, Inc., (Claimant) vs. John Rose, (Respondent)

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**ATTORNEYS:**

For Claimant appeared in house counsel Brett D. Zinner, Esq., Melville, NY.

Respondent did not respond to the Statement of Claim.

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

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**DATE FILED:** April 20, 2006

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**CASE SUMMARY:** Claimant alleged that Respondent breached an employment contract. Claimant further alleged quantum meruit, unjust enrichment, conversion and contractual and implied indemnification of expenses. Claimant maintained that due to Respondent's actions, the firm suffered a financial loss.

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**Claim Data**

Claim: \$24,715.56  
Interest: Unspecified

Filing Fees: Unspecified  
Other: Unspecified

**Award Data**

Award: \$24,715.56  
Interest: granted at the  
rate of 9% per annum from  
12/31/05-date of payment  
of the award.  
Filing Fees: \$525.00  
Other: \$.00

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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 \$24,715.56. 2) Respondent is liable and shall pay to the Claimant interest at the rate of 9% per annum from 12/31/05-date of payment of the award. 3) All other relief requests are denied. 4) NASD Dispute Resolution shall retain the \$1,050.00 filing fee that the Claimant deposited previously. 5) Respondent is liable and shall pay Claimant \$525.00 as reimbursement of one half 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 John Rose was served notice of the Statement of Claim and Notification of Arbitrator by regular mail, and Overdue

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Notice by certified mail, and is therefore bound by the arbitrator's ruling and determination.

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Arthur P. Fisch, Esq.

Sole Non-Public Arbitrator

AFFIRMATION

I, Arthur P. Fisch, Esq., do hereby affirm, pursuant to Article 7507 of the Civil Practice Law and Rules, that I am the individual described herein, and who executed this instrument, which is my award.



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Arthur P. Fisch, Esq.

10/19/06

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(Signature Date)

October 20, 2006

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