

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

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CASE: 06-02260

Wachovia Securities Financial Network, LLC, (Claimant) vs. Duane Garth,  
(Respondent)

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**ATTORNEYS:**

For Claimant appeared in-house counsel Douglas D. Callaway, Esq., Richmond, VA.

Respondent appeared *pro se*, Southfield, MI.

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

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**DATE FILED:** May 5, 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: \$19,469.56  
Interest: Unspecified

Attorney Fees: Unspecified  
Filing Fees: Unspecified

**Award Data**

Award: \$16,620.21  
Interest: granted at the rate of  
7.75% per annum from 5/20/05-  
date of payment of award.  
Attorney Fees: \$.00  
Filing Fees: \$1,050.00

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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 \$16,620.21. 2) All requests for attorney fees are denied. 3) Respondent is liable and shall pay to the Claimant interest at the rate of 7.75% per annum from May 20, 2005 until the date of payment of the award. 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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Norman A. Samson

Sole Non-Public Arbitrator

AFFIRMATION

I, Norman A. Samson, 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.



Norman A. Samson

October 12, 2006

(Signature Date)

October 13, 2006

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