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**Stipulated Award**  
**NASD Dispute Resolution**

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In the Matter of the Arbitration Between:

Name of the Claimant  
Georgia Capital Partners, Inc.

Case Number: 06-02437

Name of the Respondent  
Norbert PJ Gilbert

Hearing Site: Orlando, Florida

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Nature of the Dispute: Member vs. Associated Person.

**REPRESENTATION OF PARTIES**

For Georgia Capital Partners, Inc., hereinafter referred to as "Claimant": Eric Lee, Esq., Lee & Amtzis, Boca Raton, Florida.

Respondent Norbert PJ Gilbert appeared pro se.

**CASE INFORMATION**

Statement of Claim filed on or about: May 17, 2006.

Claimant signed the Uniform Submission Agreement: June 12, 2006.

Respondent did not file a Statement of Answer or an executed Uniform Submission Agreement.

**CASE SUMMARY**

Claimant asserted the cause of action of breach of employment agreement. The cause of action relates to, amongst other things, Respondent's alleged misappropriation of corporate documents from Claimant.

**RELIEF REQUESTED**

Claimant requested an unspecified amount of compensatory and punitive damages, an order requiring that Respondent return to Claimant all misappropriated documents, attorneys' fees and such other and further relief as deemed just and proper by the Panel.

Respondent did not delineate a relief request.

**OTHER ISSUES CONSIDERED AND DECIDED**

Respondent did not file with NASD Dispute Resolution a properly executed submission to arbitration but is required to submit to arbitration pursuant to the NASD Code of Arbitration Procedure (the "Code") and, having participated in the settlement and requested entry by the

Panel of a Stipulated Award, is bound by the determination of the Panel on all issues submitted.

On November 16, 2006, the parties filed with NASD Dispute Resolution, for review and approval by the Panel, a Joint Stipulation of Dismissal with Prejudice and a proposed Order containing a request for expungement of all references to this matter from the NASD Central Registration Depository ("CRD") records of Claimant and Respondent.

The parties have agreed that the Stipulated Award in this matter may be entered in counterpart copies or that a signed handwritten Stipulated Award may be entered.

### **AWARD**

After considering the pleadings, Joint Stipulation of Dismissal with Prejudice and proposed Order submitted by the parties, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

The pending action is hereby dismissed in its entirety, with prejudice.

All parties shall bear their own fees and costs.

The Panel recommends the expungement of all references to the above captioned arbitration from Claimant and Respondent's respective registration records maintained by the NASD CRD based upon the defamatory nature of the information.

### **FEES**

Pursuant to the Code, the following fees are assessed:

#### **Filing Fees**

NASD Dispute Resolution will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee	= \$500.00
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#### **Member Fees**

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the events giving rise to the dispute. Accordingly, Claimant is a party to this dispute and was a member of NASD at the time the following fees were assessed:

Member surcharge	= \$1,500.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$2,200.00
<hr/> Total Member Fees	<hr/> = \$4,450.00

**Adjournment Fees**

Adjournments granted during these proceedings for which fees were assessed:

No requests for adjournments were filed in this matter.

**Three-Day Cancellation Fees**

Fees apply when a hearing on the merits is postponed or settled within three business days before the start of a scheduled hearing session:

No cancellation fees were assessed in this matter.

**Injunctive Relief Fees**

Injunctive relief fees are assessed to each member or associated person who files for a temporary injunction in court. Parties in these cases are also assessed arbitrator travel expenses and costs when an arbitrator is required to travel outside his or her hearing location and additional arbitrator honoraria for the hearing for permanent injunction. These fees, except the injunctive relief surcharge, are assessed equally against each party unless otherwise directed by the Panel.

No injunctive relief fees were incurred during this proceeding.

**Forum Fees and Assessments**

The Panel has assessed forum fees for each session conducted. A session is any meeting between the parties and the arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with the Panel @ \$1,000.00	= \$1,000.00
Pre-hearing conference: October 12, 2006	
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Total Forum Fees	= \$1,000.00

The Panel has assessed forum fees of \$500.00 to Claimant and \$500.00 to Respondent.

**Administrative Costs**

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

No administrative costs were incurred during this proceeding.

**Fee Summary**

Claimant is solely liable for:	
Initial Filing Fee	= \$ 500.00
Member Fees	= \$4,450.00

<u>Forum Fees</u>	= \$ 500.00
<u>Total Fees</u>	= \$5,450.00
<u>Less payments</u>	= \$3,750.00
<u>Balance Due NASD Dispute Resolution</u>	= \$1,700.00

Respondent is solely liable for:

<u>Forum Fees</u>	= \$ 500.00
<u>Total Fees</u>	= \$ 500.00
<u>Less payments</u>	= \$ 0.00
<u>Balance Due NASD Dispute Resolution</u>	= \$ 500.00

All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

**ARBITRATION PANEL**

Michael S. Hill	-	<i>Non- Public Arbitrator, Presiding Chairperson</i>
Gary F. Lang	-	<i>Non-Public Arbitrator</i>
William H. Steinbrenner	-	<i>Non-Public Arbitrator</i>

**Concurring Arbitrators' Signatures**

/s/  
Michael S. Hill  
Non-Public Arbitrator, Presiding Chairperson

December 1, 2006  
Signature Date

/s/  
Gary F. Lang  
Non-Public Arbitrator

December 5, 2006  
Signature Date

/s/  
William H. Steinbrenner  
Non-Public Arbitrator

December 4, 2006  
Signature Date

12/5/06  
Date of Service (For NASD Dispute Resolution office use only)

NASD Dispute Resolution  
Arbitration No. 06-02437  
Stipulated Award Page 4

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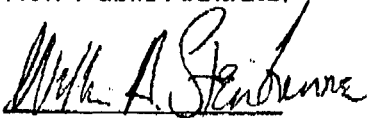
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