

N.A.S.D. REGULATION AWARD
NATIONAL ASSOCIATION OF SECURITIES DEALERS REGULATION, INC.

CASE: 99-00970

Dean Witter Reynolds, Inc., claimant vs. Brian Mercer, respondent.

ATTORNEYS:

For Claimant, Dean Witter Reynolds, Inc., appeared Diane C. Fischer, Esq. and Michael A. Kraft, Esq. of the firm Gomberg Kane & Fischer, LTD., Chicago, IL.

Respondent, Brian Mercer, appeared Pro Se., Lexington, KY.

DATE FILED: 03/04/99

CASE SUMMARY: Claimant alleged breach of agreement.

Claim Data

Claim: \$19,619.50
Costs: unspecified
Atty Fees: unspecified
Filing Fees: \$.00
Other: \$.00
Interest: at the legal rate from
5/1/98 to the date of the award

Award Data

Award: \$19,619.50
Costs: \$.00
Atty Fees: \$.00
Filing Fees: \$287.50
Other: \$.00
Interest: at the legal rate from the date
the first collection letter, 10/14/98, to
date of award

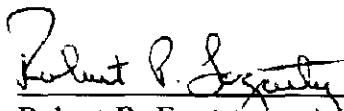
AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is liable and shall pay to the claimant \$19,619.50. 2) All requests for attorney fees are denied. 3) Respondent is liable and shall pay to claimant interest at the legal rate from 10/14/98 to the date of the award. 4) All other relief requests are denied. 5) The \$575.00 filing fee previously deposited with the National Association of Securities Dealers Regulation, Inc. by the claimant, shall be retained by NASD Regulation, Inc. 6) Respondent is liable and shall pay claimant \$287.50 as reimbursement for half of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, claimant has paid to NASD Regulation, Inc. the \$400.00 Member Surcharge previously invoiced.

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AFFIRMATION

I, Robert P. Fogarty, 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.


Robert P. Fogarty

December 9, 1999

Date of award