

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

CASE: 99-01045

Everen Securities, Inc., claimant vs. Daniel M. Lavelle, respondent.

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**ATTORNEYS:**

For Claimant Everen Securities, Inc. ("Claimant"), A. Brad Busscher, Esq., Senior Vice President and Attorney for Everen Securities, Inc., Chicago, IL.

Respondent Daniel Lavelle ("Respondent"), appeared Pro Se., Rockville Centre, NY.

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**DATE FILED:** 3/8/1999

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**CASE SUMMARY:** Claimant maintained that Respondent breached a previous Settlement Agreement that he entered into. Claimant alleged that Respondent was required to make periodic payments to the Claimant to resolve an outstanding loan. Claimant further alleged that despite numerous demands, Respondent has refused to abide by the Settlement Agreement.

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**ARBITRATOR REPORT:** Claimant has not established a right to an award based upon the terms of its original settlement agreement.

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**Claim Data**

Claim: \$10,666.50  
Interest: at 4% employment rate from  
March 11, 1996 to August 28, 1996, totalling \$442.89  
Interest: prime rate + 2% post employment  
rate from August 29, 1996 to March 1, 1999, totalling \$4,872.74  
Atty Fees: \$1,000.00  
Filing Fees: \$2,750.00  
Other: unspecified

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**Award Data**

Award: \$2,500.00  
Interest: \$.00  
  
Interest: \$.00  
Atty Fees: \$500.00  
Filing Fees: \$575.00  
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 hereby liable and shall pay to the Claimant \$2,500.00. 2) All requests for interest are hereby denied. 3) Respondent is hereby liable and shall pay Claimant attorney fees in the amount of \$500.00. 4) All other relief requests are hereby 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 hereby liable and shall pay Claimant \$575.00 as reimbursement of the filing fee.

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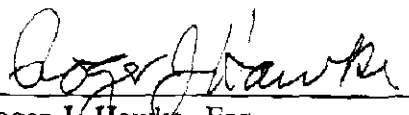
**OTHER FEES:** Pursuant to Rule 10333 of the Code, Respondent has paid to NASD Regulation,

Inc. the \$400.00 Member Surcharge previously invoiced.

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**AFFIRMATION**

I, Roger J. Hawke, 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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Roger J. Hawke, Esq.

March 27, 2000

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Date of Award