

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

CASE: #99-02066

Fidelity National Capital Investors, Inc., claimant vs. Barry Weiss, respondents.

ATTORNEYS:

For Claimant, appeared Wayne A. Krause, Esq., of the firm, Krause & Hiron, Marietta, GA.

Respondent, Barry Weiss did not respond to the Statement of Claim.

DATE FILED: May, 4, 1999

CASE SUMMARY: Claimant alleged that pursuant to an InterOffice Memo and Account Executive Deficit Memo of Understanding, Respondent is indebted to Claimant for unearned advances against commissions.

Claim Data

Claim: \$7,428.37

Interest: 7% per annum from 2/9/99

Atty Fees: unspecified

Filing Fees: \$750.00

Award Data

Award: \$7,428.37

Interest: 7% per annum from 2/9/99
until payment

Atty Fees: \$.00

Filing Fees: \$750.00

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 \$7,428.37. 2) Respondent is liable and shall pay to the claimant interest at the rate of 7% per annum from 2/9/99 until payment. 3) All requests for attorney fees are denied. 4) All other relief requests are denied. 5) The \$750.00 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 \$750.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, claimant has paid to NASD Regulation, Inc. the \$300.00 Member Surcharge previously invoiced.

OTHER ISSUES: Pursuant to the By-Laws of NASD Regulation, the arbitrator determined that respondent, Barry Weiss, was served notice of the Statement of Claim, Overdue Notice and Notification of Arbitrator by regular mail, and is therefore bound by the arbitrator's ruling and determination.

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AFFIRMATION

I, Michael J. Stern, 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.



Michael J. Stern

Date of award