

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 99-02426

Empire Financial Group, Claimant vs. John McClarin, Respondents.

ATTORNEYS:

Claimant Empire Financial Group, Inc. ("Claimant"), appeared through its Compliance Officer, Randy Cupples, Longwood, FL.

Respondent, John McClarin, ("Respondent"), did not respond to the Statement of Claim.

DATE FILED: May 26, 1999

CASE SUMMARY: Claimant alleged that Respondent knowingly and fraudulently wrote checks against his account after he was contacted about a debit balance owed.

Claim Data

Claim: \$3,484.84

Interest: Unspecified

Atty Fees: Unspecified

Filing Fees: Unspecified

Other: Unspecified

Award Data

Award: \$3,484.84

Interest: at the rate of 8.5% per annum from 1/15/99 to payment of the award.

Atty Fees: \$1,500.00

Filing Fees: \$525.00

Other: \$0.00

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 \$3,484.84. 2) Respondent is liable and shall pay to the Claimant interest at the rate of 8.5% per annum from 1/15/99 to payment of the award. 3) Respondent is liable and shall pay to the Claimant attorney fees of \$1,500.00 as per account agreement. 4) All other relief requests are denied. 5) The \$525.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the Claimant, shall be retained by NASD Dispute Resolution, Inc. 6) Respondent is liable and shall pay claimant \$525.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Claimant has paid to NASD Dispute Resolution, Inc. the \$200.00 Member Surcharge previously invoiced.

OTHER ISSUES: Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that respondent 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.

AFFIRMATION

I, John D. Mattingly, 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.



John D. Mattingly

December 21, 2000

Date of award