

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION, INC.**

CASE: 00-03312

Michael J. Falise, Claimant vs. Leigh Baldwin & Company LLC, Respondent.

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**ATTORNEYS:**

Claimant appeared Pro Se, Oswego, NY.

Respondent appeared through its Compliance Officer, Sharon R. Halligan, Cazenovia, NY.

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DATE FILED: August 3, 2000

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**CASE SUMMARY:** Claimant alleged that Respondent sold 10 shares of Penn Traffic Co. stock without authorization and without prior notification.

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**ARBITRATOR'S REPORT:** I find that Respondent agreed to a brokerage fee of \$35.00 on the Penn Traffic Co. transaction, and that the subsequent charges to Claimant's account and the sale of his Penn Traffic shares were not warranted. The account #B1F-043834 should be closed and any negative balance in the account should be cleared.

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**Claim Data**

Claim: Return of stock certificate  
for 10 shares of Penn Traffic Co. stock  
(approx. value \$56.00)  
Interest: \$~~00~~  
Other: Clear the negative  
balance in Account Number B1F-043834  
Other: Close Account Number B1F-043834  
Costs: \$10.00  
Filing Fees: \$50.00

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**Award Data**

Award: \$62.50  
Interest: 9% per annum from 6/1/00  
until payment date  
Other: granted  
Other: granted  
Costs: \$0.00  
Filing Fees: \$50.00

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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 liable and shall pay Claimant \$62.50. 2) Respondent is liable and shall pay to the Claimant interest at the rate of 9% per annum from June 1, 2000 until the date of payment. 3) Respondent shall immediately clear any negative balance in Claimant's Account #B1F-043834. 4) Respondent shall immediately close Claimant's Account #B1F-043834. 5) All other relief requests are denied. 6) The \$50.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the Claimant, shall be retained by NASD Dispute Resolution, Inc. 7) Respondent is liable and shall pay Claimant \$50.00 as reimbursement of the filing fee.

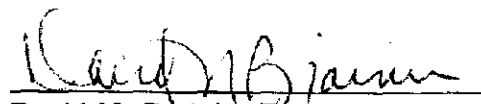
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OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent has paid to NASD Dispute Resolution, Inc. the \$150.00 Member Surcharge previously invoiced.

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**AFFIRMATION**

I, David N. Brainin, 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.

  
David N. Brainin, Esq.

March 8, 2001,  
Date of Award