

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Tango Fashions Trading, Ltd.,(Claimant) v. Cambridge Capital, LLC., Cambridge Partners, LLC, Thomas Rossi, Salvatore Clark, Frank DiCarlo, Jon Lee, and James David Clifford, (Respondents)

Case Number: 00-04055

Hearing Site: New York, New York

REPRESENTATION OF PARTIES

Claimant Tango Fashions Trading, Ltd., hereinafter referred to as "Claimant": David H. Fromm, Esq., Brown Gavalas & Fromm LLP, New York, NY.

Respondent Cambridge Partners, LLC, ("Cambridge Partners") did not enter an appearance in this matter.

Respondent Thomas Rossi, ("Rossi") appeared *pro se*. Previously represented by Mark F. Magnozzi, Esq., Helfand & Helfand, New York, NY.

Respondent Salvatore Clark, ("Clark"): Michael S. Finkelstein, Esq., Michael S. Finkelstein Attorney at Law, Garden City, NY.

Respondent Frank DiCarlo, ("DiCarlo") appeared *pro se*.

Respondent James D. Clifford ("Clifford") appeared *pro se*.

Respondent on Lee ("Lee"): did not enter an appearance in this matter.

CASE INFORMATION

Statement of Claim filed on or about: September 13, 2000.

Amended Statement of Claim filed on or about: October 4, 2001.

Reply to Respondent DiCarlo's Request to Withdraw filed by Claimant on or about: February 1, 2002.

Reply to Respondent DiCarlo's Counterclaim filed by Claimant on or about: February 13, 2002.

Claimant signed the Uniform Submission Agreement: September 9, 2000.

Claimant signed an Amended Uniform Submission Agreement: October 4, 2001.

Statement of Answer filed by Respondent DiCarlo on or about: January 16, 2002.
Counterclaim and Request to Withdraw filed by Respondent DiCarlo on or about:
January 16, 2002.

Respondent DiCarlo signed the Uniform Submission Agreement: January 6, 2002.

Statement of Answer filed by Respondent Clifford on or about: November 16, 2001.
Respondent Clifford signed the Uniform Submission Agreement: November 14, 2001.

Statement of Answer filed by Respondent Rossi on or about: June 7, 2002.
Respondent Rossi did not sign a Uniform Submission Agreement.

Statement of Answer filed by Respondent Clark on or about: February 15, 2002.
Respondent Clark did not sign a Uniform Submission Agreement.

Respondent Lee did not submit a Statement of Answer or sign a Uniform Submission Agreement.

Respondent Cambridge Partners did not submit a Statement of Answer or sign a Uniform Submission Agreement.

CASE SUMMARY

Claimant asserted the following causes of action: unauthorized trading, failure to supervise, breach of fiduciary duty and fraud. Claimant's claims involved stock in Sourceinglink.net, Viant Corp., Microsoft, CMGIC Inc., Qualcomm, and AOL.

Unless specifically admitted in his Answer, Clifford denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

Unless specifically admitted in his Answer, Rossi denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

Unless specifically admitted in his Answer, Clark denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

Unless specifically admitted in his Answer, Respondent DiCarlo, denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

In his Counterclaim, DiCarlo asserted the following cause of action: frivolous accusations.

Unless specifically admitted in its Reply, Claimant denied the allegations made in DiCarlo's Counterclaim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimant requested:

1. Compensatory damages in the amount of at least \$101,122.56, plus interest;
2. Punitive damages in the amount of \$500,000.00;
3. The costs and disbursements of this arbitration proceeding;
4. Attorneys' fees;
5. Pre-award and post-award interest;
6. Such other and further relief as may be just and proper.

Clark requested that the Claimant's Statement of Claim be dismissed in all respects and that the costs be assessed against Claimant.

Respondent Rossi requested that the Panel render an award dismissing all claims against him with prejudice, and that he be awarded costs, expenses, counsel fees, and forum fees.

Respondent Clifford requested dismissal of this arbitration with prejudice, plus costs, expenses and attorneys' fees, and such other and further relief as the Panel deems just and proper.

Respondent DiCarlo requested to be withdrawn from this arbitration and, in his Counterclaim sought compensation for legal fees, his time in answering Claimant's claims, and unspecified punitive damages.

OTHER ISSUES CONSIDERED AND DECIDED

On or about February 2, 2001, Respondent Cambridge Capital filed for bankruptcy protection under Chapter 11 of the United States Bankruptcy Code. Accordingly, all claims against Respondent Cambridge Capital were stayed.

During the hearing, at the conclusion of the presentation of evidence, DiCarlo and Clifford both made a motion that all claims against them be dismissed, that expungement of their records in connection with this proceeding be ordered, and that no fees be assessed against them. After due deliberation, the Panel granted DiCarlo's Motion and denied Clifford's Motion. As the compliance officer of Cambridge Capital, the Panel found Clifford culpable for the poor compliance process at Cambridge.

Upon review of the file and the representations made on behalf of the Claimant, the Panel determined that Cambridge Partners, Rossi and Lee have been properly served with the Statement of Claim and received due notice of the hearing and that arbitration of the matter would proceed without said Respondents present, in accordance with the NASD Code of Arbitration Procedure (the "Code").

Cambridge Partners, Lee, Rossi, and Clark did not file with NASD Dispute Resolution a properly executed Uniform Submission Agreement but are required to submit to arbitration pursuant to the Code and are bound by the determination of the Panel on all issues submitted.

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Clark is liable for and shall pay to Claimant the sum of \$20,000.00 as compensatory damages.
2. Cambridge Partners, Rossi, and Lee are jointly and severally liable for and shall pay to Claimant the sum of \$60,000.00 as compensatory damages.
3. Respondent DiCarlo's counterclaims are denied in their entirety.
4. The Panel recommends the expungement of all reference to the above captioned arbitration from DiCarlo's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, DiCarlo must obtain confirmation from a court of competent jurisdiction before CRD will execute the expungement directive.
5. Any and all relief not specifically addressed herein including punitive damages is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee	= \$ 375.00
Counterclaim filing fee	= \$ 250.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

February 3-4, 2003, adjournment by Rossi and Clark = \$ 1,200.00
The Panel has assessed the one-half of the
adjournment fee against Rossi, and one-half against
Clark

March 31, April 1, 2003, adjournment by Rossi = WAIVED

Forum Fees and Assessments

The Panel has assessed forum fees for each session conducted. A session is any meeting between the parties and the arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

Six (6) Pre-hearing sessions with Panel @ \$1,200.00 = \$7,200.00

Pre-hearing conferences:	February 1, 2002	1 session
	March 15, 2002	1 session
	May 22, 2002	1 session
	July 26, 2002	1 session
	February 4, 2003	1 session
	March 31, 2003	1 session

Two (2) Hearing sessions @ \$1,200.00 = \$2,400.00

Hearing Date:	June 23, 2003	2 sessions
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Total Forum Fees = \$9,600.00

1. The Panel has assessed \$4,800.00 of the forum fees against Claimant.
2. The Panel has assessed \$4,800.00 of the forum fees jointly and severally against Cambridge Partners, Rossi, and Lee.

Fee Summary

1. Claimant is solely liable for:

Initial Filing Fee	= \$ 375.00
Forum Fees	= \$4,800.00
Total Fees	= \$5,175.00
<u>Less payments</u>	<u>= \$1,575.00</u>
Balance Due NASD Dispute Resolution	= \$3,600.00

2. DiCarlo is solely liable for:

<u>Counterclaim Filing Fee</u>	= \$ 250.00
<u>Total Fees</u>	= \$ 250.00
<u>Less Payments</u>	= \$ 1,250.00
<u>Refund Due DiCarlo</u>	= \$ 1,000.00

3. Rossi is solely liable for:

<u>Adjournment Fee</u>	= \$ 600.00
<u>Total Fees</u>	= \$ 600.00
<u>Less payments</u>	= \$ 0.00
<u>Balance Due NASD Dispute Resolution</u>	= \$ 600.00

4. Clark is solely liable for:

<u>Adjournment Fee</u>	= \$ 600.00
<u>Total Fees</u>	= \$ 600.00
<u>Less payments</u>	= \$ 0.00
<u>Balance Due NASD Dispute Resolution</u>	= \$ 600.00

5. Cambridge Partners, Rossi, and Lee are jointly and severally liable for:

<u>Forum Fees</u>	= \$4,800.00
<u>Balance Due NASD Dispute Resolution</u>	= \$4,800.00

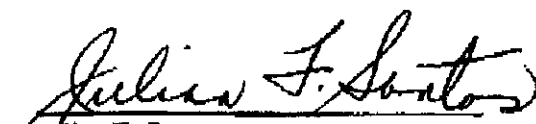
All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

Julian F. Santos	-	Public Arbitrator, Presiding Chair
Diane Ciccone, Esq.	-	Public Arbitrator
Emad A. Zikry	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

I, the undersigned arbitrator, 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 in which is my award.


Julian F. Santos
Public Arbitrator, Presiding Chairperson

8/1/03
Signature Date

Diane Ciccone, Esq.
Public Arbitrator

Signature Date

Emad A. Zikry
Non-Public Arbitrator

Signature Date

August 4, 2003

Date of Service (For NASD Dispute Resolution use only)

ARBITRATION PANEL

Julian F. Santos	-	Public Arbitrator, Presiding Chair
Diane Ciccone, Esq.	-	Public Arbitrator
Emad A. Zikry	-	Non-Public Arbitrator

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Julian F. Santos
Public Arbitrator, Presiding Chairperson

Signature Date



Diane Ciccone, Esq.
Public Arbitrator

7-30-03

Signature Date

Emad A. Zikry
Non-Public Arbitrator

Signature Date

August 4, 2003

Date of Service (For NASD Dispute Resolution use only)

ARBITRATION PANEL

Julian F. Santos	-	Public Arbitrator, Presiding Chair
Diane Ciccone, Esq.	-	Public Arbitrator
Emad A. Zikry	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

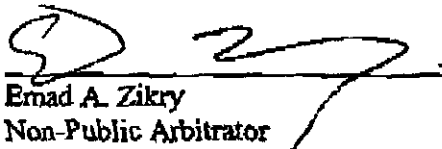
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Julian F. Santos
Public Arbitrator, Presiding Chairperson

Signature Date

Diane Ciccone, Esq.
Public Arbitrator

Signature Date



Emad A. Zikry
Non-Public Arbitrator

8/4/03

Signature Date

August 4, 2003
Date of Service (For NASD Dispute Resolution use only)