

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

CASE: 00-04177

Whale Securities Co., L.P. n/k/a Bluestone Capital Corp., claimant vs. John A. Whitsel and Mahendra Shah, respondents.

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**ATTORNEYS:**

For Claimant appeared David S. Richan, Esq. of the firm Blank Rome Tenzer Greenblatt, LLP

Respondent John A. Whitsel appeared Pro Se, New York, NY.

Respondent Mahendra Shah did not respond to the Statement of Claim.

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DATE FILED: September 22, 2000

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**CASE SUMMARY:** Claimant alleged that respondent Mahendra Shah attempted to pay for purchases of securities with two checks that were returned uncollected. Claimant further alleged that respondent John Whitsel failed to repay his customer's unsecured debit as stated in his employment agreement.

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**Claim Data**

Claim: \$11,079.32  
Interest: unspecified

Attorney Fees: unspecified  
Filing Fees: unspecified

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**Award Data**

Award: \$11,079.32  
Interest: @ 6% p.a. from  
6/16/00-5/23/01  
Attorney Fees: \$1,000.00  
Filing Fees: \$1,050.00

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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) Respondents are jointly and severally liable and shall pay to the claimant \$11,079.32. 2) Respondents are jointly and severally liable and shall pay claimant interest at the rate of 6% per annum from June 16, 2000 to May 23, 2001. 3) Respondents are jointly and severally liable and shall pay claimant attorney fees in the amount of \$1,000.00 according to claimant's request. 4) All other relief requests are denied. 5) The \$1,050.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the claimant, shall be retained by NASD Dispute Resolution, Inc. 6) Respondents are jointly and severally liable and shall pay claimant \$1,050.00 as reimbursement of the filing fee.

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**OTHER FEES:** Pursuant to Rule 10333 of the Code, claimant has paid to NASD Dispute Resolution, Inc. \$200.00 of the \$400.00 Member Surcharge previously invoiced. There remains a balance of \$200.00.

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

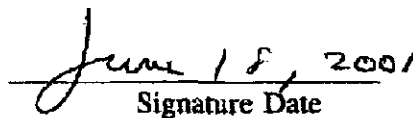
Herman Taub, Esq.

Sole Public Arbitrator

**AFFIRMATION**

I, Herman Taub, 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.

  
Herman Taub, Esq.

  
Signature Date

June 20, 2001  
Date of Service(for NASD office use only)