

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Douglas Mott, (Claimant), vs. Finn-Atlantic Securities, Inc., S.G. Martin Securities, LLC, and Mark Edward Goldstein, (Respondents)

Case No. 00-04624

Hearing Site: Columbus, Ohio

REPRESENTATION OF PARTIES

Claimant, Douglas Mott, hereinafter referred to as "Claimant": John J. Chester, Jr., Esq., Chester, Willcox & Saxbe, LLP, Columbus, OH.

Respondent, S.G. Martin Securities, LLC ("Martin"): Joseph L. Pittera, Esq., a sole practitioner, Torrance, CA. Previously represented by: Marc J. Ross, Esq., Sichenzia, Ross & Friedman LLP, New York, NY.

Respondents, Finn-Atlantic Securities, Inc. ("Finn") and Mark Edward Goldstein ("Goldstein"), did not make appearances in this matter.

CASE INFORMATION

Statement of Claim filed on or about: October 12, 2000.

Claimant signed the Uniform Submission Agreement: July 6, 2000

Statement of Answer and Motion to Dismiss filed by Martin on or about:
December 11, 2000.

Martin signed the Uniform Submission Agreement: February 20, 2001.

Finn did not file a Statement of Answer or sign a Uniform Submission Agreement.

Goldstein did not file a Statement of Answer or sign a Uniform Submission Agreement.

CASE SUMMARY

Claimant asserted the following causes of action: unsuitability, negligence, breach of fiduciary duty; and failure to supervise. Claimant's claim involved the securities of TheGlobe.Com, Inc. and Convergent Communications.

Unless specifically admitted in its answer, Martin denied the allegations in the Statement of Claim and asserted the following defenses: failure to state a claim; lack of proximate cause; inability to recover costs, disbursements, or attorney fees; waiver and laches; assumption of risk; estoppel; failure to breach any fiduciary duty or violate any applicable law; statute of limitations; and actions in good faith without knowledge of or participation at any improper conduct.

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$23,484.21, interest at the rate of 10% from November 11, 1999, attorneys' fees, forum fees, and a declaration that the margin account at Martin has a zero balance.

Martin requested that the Arbitrator dismiss the Statement of Claim in its entirety as against Martin and award such other relief as the Arbitrator may deem just and proper.

OTHER ISSUES CONSIDERED AND DECIDED

Upon review of the file and the representations made on behalf of the Claimant, the undersigned arbitrator (the "Arbitrator") determined that Finn and Goldstein 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 Finn and Goldstein present, in accordance with the NASD Code of Arbitration Procedure (the "Code").

Finn and Goldstein did not file with NASD Dispute Resolution properly executed submissions to arbitration but are required to submit to arbitration pursuant to the Code and are bound by the determination of the Arbitrator 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 herein, the Arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

1. Goldstein and Finn are jointly and severally liable for and shall pay to Claimant the sum of \$23,484.21 as compensatory damages, plus interest at the rate of 10% per annum until paid, running from November 11, 1999.

2. Claimant's monetary claims against Martin are hereby dismissed in their entirety, with prejudice.
3. The debit balance appearing in Claimant's account at Martin is declared a zero balance insofar as it was not pursued as a mandatory counter-claim in these proceedings.
4. All other requests for relief are hereby 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 = \$ 125.00

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the events giving rise to the dispute. In this matter, S.G. Martin Securities, LLC and Finn-Atlantic Securities, Inc. are parties.

S.G. Martin Securities, LLC

Member surcharge = \$ 400.00

Finn-Atlantic Securities, Inc.

Member surcharge = \$ 400.00

Adjournment Fees

Adjournments requested during these proceedings:

Nov. 8 & 9, 2001, adjournment by Martin = \$ 450.00

Dec. 9, 10 & 11, 2002, adjournment by Martin = \$ 900.00

Forum Fees and Assessments

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

Three (3) Pre-hearing sessions with a single arbitrator x \$450.00 = \$1,350.00

Pre-hearing conferences:	March 30, 2001	1 session
	November 7, 2001	1 session
	May 9, 2002	1 session

One (1) Hearing session x \$450.00 = \$ 450.00

Hearing Date:	January 28, 2003	1 session
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Total Forum Fees = \$1,800.00

1. The Arbitrator has assessed \$900.00 of the forum fees against Claimant.
2. The Arbitrator has assessed \$900.00 of the forum fees against Martin.

Fee Summary

1. Claimant is solely liable for:

Initial Filing Fee	= \$ 125.00
Forum Fees	= \$ 900.00
Total Fees	= \$1,025.00
Less payments	= \$ 600.00
Balance Due NASD Dispute Resolution	= \$ 425.00

2. Martin is solely liable for:

Member Fees	= \$ 400.00
Adjournment Fees	= \$1,350.00
Forum Fees	= \$ 900.00
Total Fees	= \$2,650.00
Less payments	= \$ 400.00
Balance Due NASD Dispute Resolution	= \$2,250.00

3. Finn is solely liable for:

<u>Member Fees</u>	= \$ 400.00
<u>Total Fees</u>	= \$ 400.00
<u>Less payments</u>	= \$ 0.00
<u>Balance Due NASD Dispute Resolution</u>	= \$ 400.00

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

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ARBITRATION PANEL

Kevin R. McDermott, Esq. -

Public Arbitrator

Arbitrator's Signature



Kevin R. McDermott, Esq.
Public Arbitrator

Signature Date

March 5, 2003

Date of Service (For NASD Dispute Resolution use only)