

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between

Name of Claimants

Angelo Karakasis
FFP Group, Inc.
Nicholas G. Zoubroulis
Theodore Zoubroulis

Case Nos. 01-00645
01-00646
01-00647
01-00648

Name of Respondents

DiMedio Kirchhoff & Company, Inc.
Thomas H. King, Sr.

Hearing Site: Philadelphia, PA

REPRESENTATION OF PARTIES

Claimants, Angelo Karakasis ("Karakasis"), FFP Group, Inc. ("FFP"), Nicholas G. Zoubroulis, and Theodore Zoubroulis, hereinafter collectively referred to as "Claimants": Mark S. Gertel, Esq., Ballen & Gertel, P.C., Cherry Hill, New Jersey.

Respondent, DiMedio Kirchhoff & Company, Inc. ("DiMedio"), did not appear at the hearing and was not represented by counsel.

Respondent, Thomas H. King, Sr. ("King"), represented himself at the hearing.

CASE INFORMATION

01-00645

Statement of Claim of Karakasis filed on February 7, 2001.

Claimant, Karakasis, signed the Uniform Submission Agreement on January 25, 2001.

Letters of Guardianship for Respondent DiMedio, appointing Adeline Croce, Guardian as of January 9, 2001, signed by Elton A. Conda, Surrogate, Burlington County Surrogate's Court, State of New Jersey on January 18, 2001.

Respondent DiMedio filed a Statement of Answer on March 22, 2001.

Respondent DiMedio's Uniform Submission Agreement was signed by his Guardian, Adeline Croce, on March 22, 2001.

Respondent King filed a Statement of Answer and signed the Uniform Submission Agreement on June 6, 2001.

01-00646

Statement of Claim of FFP filed on February 7, 2001.

Claimant FFP signed the Uniform Submission Agreement on August 18, 2000.

Letters of Guardianship for Respondent DiMedio, appointing Adeline Croce, Guardian as of January 9, 2001, signed by Elton A. Conda, Surrogate, Burlington County Surrogate's Court, State of New Jersey on January 18, 2001.

Respondent DiMedio filed a Statement of Answer on April 10, 2001.

Respondent DiMedio's Uniform Submission Agreement was signed by his Guardian, Adeline Croce, on April 10, 2001.

Respondent King filed a Statement of Answer and signed the Uniform Submission Agreement on June 7, 2001.

01-00647

Statement of Claim of Nicholas Zoubroulis filed on February 7, 2001.

Claimant Nicholas Zoubroulis signed the Uniform Submission Agreement on July 25, 2001.

Letters of Guardianship for Respondent DiMedio, appointing Adeline Croce, Guardian as of January 9, 2001, signed by Elton A. Conda, Surrogate, Burlington County Surrogate's Court, State of New Jersey on January 18, 2001.

Respondent DiMedio filed a Statement of Answer on April 24, 2001.

Respondent DiMedio's Uniform Submission Agreement was signed by his Guardian, Adeline Croce, on April 24, 2001.

Respondent King filed a Statement of Answer and signed the Uniform Submission Agreement on June 7, 2001.

01-00648

Statement of Claim of Theodore Zoubroulis filed on February 7, 2001.

Claimant Theodore Zoubroulis signed the Uniform Submission Agreement on July 25, 2001.

Letters of Guardianship for Respondent DiMedio, appointing Adeline Croce, Guardian as of January 9, 2001, signed by Elton A. Conda, Surrogate, Burlington County Surrogate's Court, State of New Jersey on January 18, 2001.

Respondent DiMedio filed a Statement of Answer on March 29, 2001.

Respondent DiMedio's Uniform Submission Agreement was signed by his Guardian, Adeline Croce, on March 27, 2001.

Respondent King filed a Statement of Answer and signed the Uniform Submission Agreement on June 7, 2001.

CASE SUMMARY

Claimants asserted the following cause of action: misrepresentation. The cause of action relates to the purchase of Phoenix Information Systems Corporation (PHXS) stock.

Guardian for Respondent DiMedio filed Statements of Answer stating its position and indicating that DiMedio was incapable of defending itself due to the incapacitation of its principal.

Unless specifically admitted in his answer, Respondent King denied the allegations made in Karakasis' Statement of Claim and indicated that there was full disclosure as to the nature of the stock and all trades were done with Claimant's knowledge and consent.

Unless specifically admitted in his answer, Respondent King denied the allegations made in FFP's Statement of Claim and indicated that he believed the stock to be a good long term investment which fit the groups' objective of speculative long term investments and all trades were made in accordance with Claimant's instructions.

Unless specifically admitted in his answer, Respondent King denied the allegations made in Nicholas and Theodore Zoubroulis' Statements of Claim and indicated that these Claimants were comfortable with the investment and at all times had the ability to sell any or all of their positions if they wanted.

RELIEF REQUESTED

Claimant Karakasis requested:

Compensatory Damages	\$ 12,722.20
Interest	unspecified
Attorneys' Fees	unspecified
Other Costs	unspecified

Claimant FFP requested:

Compensatory Damages	\$ 30,739.55
Interest	unspecified
Attorney's Fees	unspecified
Other Costs	unspecified

Claimant Nicholas Zoubroulis requested:

Compensatory Damages	\$ 45,066.70
Interest	unspecified
Attorney's Fees	unspecified
Other Costs	unspecified

Claimant Theodore Zoubroulis requested:

Compensatory Damages	\$ 11,952.83
Interest	unspecified
Attorney's Fees	unspecified
Other Costs	unspecified

Respondent DiMedio made no requests.

Respondent King requested that the matter be dismissed.

OTHER ISSUES CONSIDERED AND DECIDED

Upon review of the file and the representations made by/on behalf of the Claimants, the undersigned arbitrators (the "Panel") determined that Respondent DiMedio has 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 Respondent present, in accordance with the NASD Code of Arbitration Procedure (the "Code").

Notice was given at the hearing that a Guardian had been appointed on behalf of Respondent DiMedio pursuant to Letters of Guardianship appointing Adeline Croce, Guardian, as of January 9, 2001, which were signed by Elton A. Conda, Surrogate, Burlington County Surrogate's Court, New Jersey on January 18, 2001. Ms. Croce was not present at the hearing.

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. That Respondents DiMedio and King are jointly and severally liable and shall pay to Claimant Karakasis the sum of \$6,361.10. No pre-judgment interest is awarded on this amount;
2. That Claimant FFP's claim against Respondents DiMedio and King is denied in its entirety;
3. That Respondents DiMedio and King are jointly and severally liable and shall pay to Claimant Nicholas Zoubroulis the sum of \$33,800.02. No pre-judgment interest is awarded on this amount;
4. That Respondents DiMedio and King are jointly and severally liable and shall pay to Claimant Theodore Zoubroulis the sum of \$8,964.62. No pre-judgment interest is awarded on this amount;
5. That the parties shall bear their respective costs, except as Fees are specifically addressed below; and,
6. That any and all claims for damages not specifically addressed herein are denied in their entirety.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Initial claim filing fee # 01-645	= \$ 125.00
Initial claim filing fee # 01-646	= \$ 175.00
Initial claim filing fee # 01-647	= \$ 175.00
Initial claim filing fee # 01-648	= \$ 125.00

Forum Fees and Assessments

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

One (1) Pre-hearing session with Panel x \$ 1,125.00	= \$ 1,125.00
Pre-hearing conference: January 2, 2002 1 session	
Three (3) Hearing sessions x \$1,125.00	= \$ 3,375.00
Hearing Date(s): March 26, 2002 2 sessions	
March 27, 2002 1 session	

Total Forum Fees	= \$ 4,500.00
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The panel has assessed \$ 2,250.00 of the forum fees jointly and severally to Claimants.
The panel has assessed \$ 2,250.00 of the forum fees jointly and severally to Respondents.

Fee Summary

Claimant Karakasis is assessed:

Filing Fee	= \$ 125.00
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Less Payments	= \$ 125.00
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Balance Due NASD Dispute Resolution, Inc.	= \$ 0.00
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Claimant FFP is assessed:

Filing Fee	= \$ 175.00
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Less Payments	= \$ 175.00
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Balance Due NASD Dispute Resolution, Inc.	= \$ 0.00
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Claimant Nicholas Zoubroulis is assessed:

Filing Fee	= \$ 175.00
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Less Payments	= \$ 175.00
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Balance Due NASD Dispute Resolution, Inc.	= \$ 0.00

Claimant Theodore Zoubroulis is assessed:

Filing Fee	= \$ 125.00
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Less Payments	= \$ 125.00
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Balance Due NASD Dispute Resolution, Inc.	= \$ 0.00

Claimants Karakasis, FFP, Nicholas Zoubroulis and Theodore Zoubroulis are jointly and severally assessed:

Forum Fee	= \$ 2,250.00
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Less Payments	= \$ 1,700.00
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Balance Due NASD Dispute Resolution, Inc.	= \$ 550.00

Respondents, DiMedio and King, are assessed jointly and severally:

Forum Fees	= \$ 2,250.00
Less Payments	= \$ 0.00
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Balance Due NASD Dispute Resolution, Inc.	= \$ 2,250.00

All balances are due to NASD Dispute Resolution, Inc.

ARBITRATION PANEL

Guillermo Bosch, Esq.

Thomas Beagan, Esq.

William Z. Suplee, III

- Public Arbitrator, Presiding Chair
- Public Arbitrator
- Non-Public Arbitrator

Concurring Arbitrators' Signature(s)

Guillermo Bosch, Esq.
Public Arbitrator, Presiding Chair

Signature Date

Thomas Beagan, Esq.
Public Arbitrator

Signature Date

William Z. Suplee III
William Z. Suplee, III
Non-Public Arbitrator

May 3, 2002
Signature Date

5/3/02
Date of Service (For NASD-Dispute Resolution office use only)

ARBITRATION PANEL

Guillermo Bosch, Esq.

Thomas Beagan, Esq.

William Z. Suplee, III

- Public Arbitrator, Presiding Chair

- Public Arbitrator

- Non-Public Arbitrator

Concurring Arbitrators' Signature(s)

Guillermo Bosch, Esq.

Public Arbitrator, Presiding Chair

Signature Date


Thomas Beagan, Esq.
Public Arbitrator

5-302
Signature Date

William Z. Suplee, III
Non-Public Arbitrator

Signature Date

5/3/02

Date of Service (For NASD-Dispute Resolution office use only)

ARBITRATION PANEL

Guillermo Bosch, Esq.

- Public Arbitrator, Presiding Chair

Thomas Beagan, Esq.

- Public Arbitrator

William Z. Suplee, III

- Non-Public Arbitrator

Concurring Arbitrators' Signature(s)



Guillermo Bosch, Esq.
Public Arbitrator, Presiding Chair

May 9, 2002
Signature Date

Thomas Beagan, Esq.
Public Arbitrator

Signature Date

William Z. Suplee, III
Non-Public Arbitrator

Signature Date

May 3, 2002

Date of Service (For NASD-Dispute Resolution office use only)