

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Frederick Grippa
(Claimant)

Case Number: 01-00705

Cantone Research, Inc. and Anthony Cantone
(Respondents)

Hearing Site: New York, NY

Neil A. Grippa
(Third Party Respondent)

REPRESENTATION OF PARTIES

Claimant, Frederick Grippa, hereinafter referred to as "Claimant": Dan A. Druz, Esq.,
Manasqua, NJ

Respondents, Cantone Research, Inc. ("Cantone") and Anthony Cantone ("A. Cantone"),
hereinafter collectively referred to as "Respondents": Walter Baumgardner, Esq.,
Musilli, Baumgardner, Wagner & Parell, St. Clair Shores, MI.

Third-Party Respondent, Neil A. Grippa ("Grippa") did not enter an appearance in this
matter.

CASE INFORMATION

Statement of Claim filed on or about: February 7, 2001
Claimant signed the Uniform Submission Agreement

Statement of Answer filed by A. Cantone on or about: October 23, 2001
A. Cantone, signed the Uniform Submission Agreement: August 8, 2001

Statement of Answer filed by Cantone on or about: February 25, 2002
Third-Party Claim filed by Cantone on or about February 25, 2002
Cantone signed the Uniform Submission Agreement

Third-Party Respondent, Grippa, did not file a Statement of Answer or a Uniform
Submission Agreement.

CASE SUMMARY

Claimant asserted unsuitability and fraud.

Unless specifically admitted in his Answer, A. Cantone denied the allegations made in the Statement of Claim and requested dismissal of all claims and an award of costs and attorney's fees.

Unless specifically admitted in its Answer, Cantone denied the allegations made in the Statement of Claim and requested dismissal of all claims and an award of costs and attorney's fees.

In its Third-Party Claim, Cantone asserted that Claimant and Third-Party Respondent, Grippa, colluded in this Claim for Arbitration in an attempt to seek damages from Cantone without naming Third-Party Respondent, Grippa.

RELIEF REQUESTED

Claimant requested compensatory damages of \$50,000.00, such precise amount to be proven upon the hearing; pre-judgment and post-judgment interest; and punitive damages

In its Third-Party Claim, Cantone requested damages from Third-Party Respondent, Grippa, if Cantone is found liable.

OTHER ISSUES CONSIDERED AND DECIDED

Upon review of the file and the representations made on behalf of Cantone, the undersigned arbitrator (the "Arbitrator") determined that Third Party Respondent, Grippa, 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").

Third-Party Respondent, Grippa, did not file with NASD Dispute Resolution a properly executed Uniform Submission Agreement but is required to submit to arbitration pursuant to the Code and is bound by the determination of the Arbitrator on all issues submitted.

AWARD

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

1. All claims against Respondents are denied.
2. All claims against Grippa are denied.
3. Any and all relief not specifically addressed herein, including interest, costs, attorney's fees, and 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 = WAIVED

Third-Party claim filing fee = \$1,000.00

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. Accordingly, Cantone is a party.

Member surcharge = \$ 800.00

Pre-hearing process fee = \$ 600.00

Hearing process fee = \$1,000.00

Adjournment Fees

Adjournments granted during these proceeding for which fees were assessed:

October 2,3, and 4, 2002 adjournment by A. Cantone = WAIVED

December 11,12, and 13, 2002 adjournment by Cantone = WAIVED

Forum Fees and Assessments

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

One (1) Pre-hearing session with a single arbitrator @ \$450.00 = \$ 450.00
 Pre-hearing conference: February 20, 2002 1 session

Three (3) Hearing sessions @ \$450.00 = \$1,350.00
 Hearing Date(s): April 16, 2003 2 sessions
 April 17, 2003 1 session

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 jointly and severally against Respondents.

Fee Summary

1. Claimant is solely liable for:

<u>Forum Fees</u>	= \$ 900.00
Total Fees	= \$ 900.00
<u>Less Payments</u>	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$ 900.00

2. Cantone, is solely liable for:

<u>Member Fees</u>	= \$ 2,400.00
Total Fees	= \$ 2,400.00
<u>Less Payments</u>	= \$ 2,400.00
Balance Due NASD Dispute Resolution	= \$ 0.00

3. Respondents are jointly and severally liable for:

Third-Party claim filing fee	= \$1,000.00
<u>Forum Fees</u>	= \$ 900.00
Total Fees	= \$1,900.00
<u>Less Payments</u>	= \$1,450.00
Balance Due	= \$ 450.00

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

ARBITRATION PANEL

Steven D. Leader

Public, Presiding Chair

Arbitrators' Signature

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.



Steven D. Leader
Public, Presiding Chairperson

May 21, 2003
Signature Date

May 28, 2003

Date of Service (For NASD Dispute Resolution use only)