

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between

Name of Claimant

Anne Francavilla

Case No. 01-00961

Hearing Site: Boca Raton, Florida

Names of Respondents

John Slavic

Slavic Investment Corporation

REPRESENTATION OF PARTIES

For Anne Francavilla ("Francavilla") hereinafter referred to as "Claimant": Albert A. Rapoport, Esq., Boca Raton, Florida.

For John Slavic ("Slavic") and Slavic Investment Corporation ("SIC") hereinafter collectively referred to as "Respondents": Russell L. Forkey, Esq., Fort Lauderdale, Florida.

CASE INFORMATION

Statement of Claim filed on or about: February 26, 2001.

Claimant signed the Uniform Submission Agreement: February 19, 2001.

Statement of Answer filed by Respondents on or about: May 14, 2001.

Respondent Slavic signed the Uniform Submission Agreement: May 24, 2001.

Respondent SIC signed the Uniform Submission Agreement: April 19, 2001.

CASE SUMMARY

Claimant asserted the following: (1) Respondent Slavic recommended unsuitable investments for Claimant; (2) Respondent Slavic made misrepresentations of material facts to Claimant regarding the risk and safety of recommended investments; (3) Respondent Slavic failed to disclose the high risk involved in the investments; (4) Respondent Slavic breached his fiduciary duty to Claimant; and (5) Respondent Slavic was acting in his capacity as a registered representative for Respondent SIC at all times relevant herein. This action is based upon Claimant's purchase of notes in the Keller Trust and a Keller Fund note.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted various defenses.

RELIEF REQUESTED

Claimant requested compensatory damages of \$50,000.00, plus interest, punitive damages of

~~\$50,000.00, attorney's fees, the costs of this proceeding and such other relief as is deemed just and proper.~~

Respondents requested that all claims be dismissed in their entirety, plus attorneys fees, costs of this proceeding and such other relief as is deemed just and proper. In addition, Respondents requested that all references to this matter be expunged from the NASD Central Registration Depository ("CRD") record of Respondents Slavic and SIC.

OTHER ISSUES CONSIDERED AND DECIDED

At the commencement of the evidentiary hearing on December 13, 2001, Respondent presented an Ore Tenuis Motion to Dismiss for violation of statutes of limitations. The undersigned arbitrators (the "Panel") deferred ruling until the conclusion of the hearing at which time it was determined to be moot.

The parties have agreed that the Award in this matter may be executed in counterpart copies.

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, and the post-hearing submissions (if any), the Panel has decided in full and final resolution of the issues submitted for determination as follows:

Claimant's claims are denied in their entirety.

The Panel recommends the expungement of all references to the above captioned arbitration from Respondents John Slavic and Slavic Investment Corporation's registration records maintained by the NASD CRD, with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, Respondents John Slavic and Slavic Investment Corporation must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.

Any and all other requests for relief not specifically addressed herein, including Claimant's request for punitive damages as well as the requests of Claimant and Respondents for attorney's fees, are denied.

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

= \$ 225.00

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, the member firm is a party.

Member surcharge	= \$1,000.00
Pre-hearing process fee	= \$ 600.00
Hearing process fee	= \$1,500.00

Adjournment Fees

No adjournments were requested during these proceedings.

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 arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with a single arbitrator x \$450.00	= \$ 450.00
Pre-hearing conferences: November 29, 2001	1 session

One (1) Pre-hearing session with Panel x \$750.00	= \$ 750.00
Pre-hearing conference: August 23, 2001	1 session

Three (3) Hearing sessions x \$750.00	= \$2,250.00
Hearing Dates: December 13, 2001	2 sessions
December 14, 2001	1 session

Total Forum Fees	= \$3,450.00
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The panel has assessed \$1,725.00 of the forum fees to Claimant.

The panel has assessed \$1,725.00 of the forum fees jointly and severally to Respondents Slavic and SIC.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services including, but not limited to, additional copies of arbitrator awards beyond those provided without charge, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

No administrative costs were incurred during these proceedings.

Fee Summary

Claimant be and hereby is solely liable for:

Initial Filing Fee	= \$ 225.00
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~~Forum Fees~~ = ~~\$1,725.00~~

Total Fees = \$1,950.00
Less payments = \$ 975.00

Balance Due NASD Dispute Resolution, Inc. = \$ 975.00

Respondent SIC, be and hereby is solely liable for:

Member Fees = \$3,100.00

Total Fees = \$3,100.00
Less payments = \$3,100.00

Balance Due NASD Dispute Resolution, Inc. = \$ 0.00

Respondents Slavic and SIC be and hereby are jointly and severally liable for:

Forum Fees = \$1,725.00

Total Fees = \$1,725.00
Less payments = \$ 0.00

Balance Due NASD Dispute Resolution, Inc. = \$1,725.00

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

ARBITRATION PANEL

<i>Elaine Feldman, Esq.</i>	-	<i>Public Arbitrator, Presiding Chair</i>
<i>Elizabeth L. Clark</i>	-	<i>Public Arbitrator</i>
<i>Melanie S. Cherdack, Esq.</i>	-	<i>Non-Public Arbitrator</i>

Concurring Arbitrators' Signatures

/s/
Elaine Feldman, Esq.
Public Arbitrator, Presiding Chair

Signature Date

/s/
Elizabeth L. Clark
Public Arbitrator

Signature Date

/s/
Melanie S. Cherdack, Esq.
Non-Public Arbitrator

Signature Date

January 16, 2002

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

Forum Fees	= \$1,725.00
Total Fees	= \$1,950.00
Less payments	= \$ 975.00
Balance Due NASD Dispute Resolution, Inc.	= \$ 975.00

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Total Fees	= \$3,100.00
Less payments	= \$3,100.00
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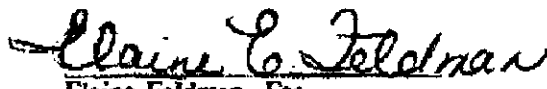
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Elizabeth L. Clark	-	Public Arbitrator
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Concurring Arbitrators' Signatures


Elaine Feldman, Esq.
Public Arbitrator, Presiding Chair

1/14/02
Signature Date

Elizabeth L. Clark
Public Arbitrator

Signature Date

NASD Dispute Resolution, Inc.
Arbitration No 01-00961
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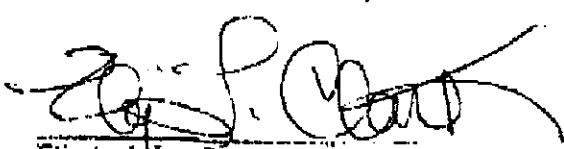
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Elizabeth L. Clark	-	Public Arbitrator
Melanie S. Cherdack, Esq.	-	Non-Public Arbitrator


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Elaine Feldman, Esq.
Public Arbitrator, Presiding Chair

Signature Date


Elizabeth L. Clark
Public Arbitrator

Signature Date


Melanie S. Cherdack, Esq.
Non-Public Arbitrator


Signature Date

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