

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Name of the Claimant

Stellar Services, Inc.

Case Number: 01-2109

Name of the Respondent

Douglas Anthony Leone

Hearing Site: Washington, DC

REPRESENTATION OF PARTIES

Claimant, Stellar Services Inc. ("Stellar"), hereinafter referred to as "Claimant": John Verleun, Stellar Services Inc., Rockville, MD.

Respondent, Douglas Anthony Leone ("Leone"), hereinafter referred to as "Respondent": Dan A. Druz, Esq., Manasquan, NJ.

CASE INFORMATION

Statement of Claim filed on April 23, 2001.

John Verleun, a representative of Claimant, signed the Uniform Submission Agreement on April 2, 2001 and September 24, 2001.

Amended Statement of Claim filed on September 3, 2002.

Statement of Answer filed by Respondent on November 30, 2001.

Respondent did not sign the Uniform Submission Agreement.

CASE SUMMARY

Claimant asserted the following causes of action: suitability; breach of fiduciary duty; breach of contract; negligence; misrepresentation; and, omission of facts. The causes of action relate to the purchase and sale of Juno Online Services Inc. stock.

Unless specifically admitted in its Answer, Respondent denied the allegations made in the Statement of Claim and asserted the following defenses: failure to state a claim; unclean hands; and, assumption of risk.

RELIEF REQUESTED

Claimant requested:

Compensatory Damages

\$ 178,261.50

Punitive Damages

\$ 534,784.50

Interest

amount unspecified

Attorneys' Fees
Other Costs

amount unspecified
amount unspecified

Respondent requested that the Statement of Claim be dismissed in its entirety.

OTHER ISSUES CONSIDERED AND DECIDED

On October 9, 2002, the Panel granted Claimant's Motion to Amend the Statement of Claim.

Respondent did not file with NASD Dispute Resolution, a properly executed submission to arbitration but is required to submit to arbitration pursuant to the Code and, having answered the claim, appeared and testified at the hearing, is bound by the determination of the Panel on all issues submitted.

The Panel granted Claimant's Amended Statement of Claim on October 9, 2002.

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. Claimant's claims are denied in their entirety;
2. The parties shall bear their respective costs, including attorneys' fees, except as Fees are specifically addressed below; and
3. Any and all relief not specifically addressed herein, including 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 = \$ 375.00

Forum Fees and Assessments

The Panel has assessed forum fees for each session conducted. A 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 a single arbitrator @ \$ 450.00 = \$ 450.00
Pre-hearing conference: August 13, 2002 1 session

One (1) Pre-hearing session with Panel @ \$ 1,200.00 = \$ 1,200.00
Pre-hearing conference: April 8, 2002 1 session

Two (2) Hearing sessions @ \$1,200.00 = \$ 2,400.00
Hearing Dates: January 22, 2003 2 sessions

Total Forum Fees = \$ 4,050.00

1. The Panel assessed \$ 2,025.00 of the forum fees to Claimant.
2. The Panel assessed \$ 2,025.00 of the forum fees to Respondent.

Fee Summary

1. Claimant is assessed:

Initial Filing Fee = \$ 375.00
Forum Fees = \$ 2,025.00

Total Fees = \$ 2,400.00
Less payments = \$ 1,550.00

Balance Due NASD Dispute Resolution = \$ 850.00

2. Respondent is assessed:

Forum Fees = \$ 2,025.00

Total Fees = \$ 2,025.00
Less payments = \$ 0.00

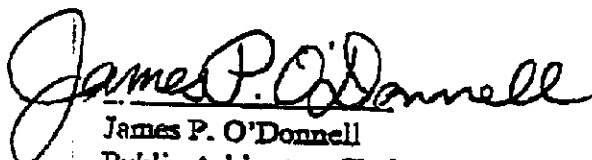
Balance Due NASD Dispute Resolution = \$ 2,025.00

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

ARBITRATION PANEL

James P. O'Donnell	-	Public Arbitrator, Chairperson
Michael H. McConihe, Esq.	-	Public Arbitrator, Panelist
Ida W. Drain, Esq.	-	Non-Public Arbitrator, Panelist

Concurring Arbitrators' Signatures


James P. O'Donnell
Public Arbitrator, Chairperson

3/3/03
Signature Date

Michael H. McConihe, Esq.
Public Arbitrator, Panelist

Signature Date

Ida W. Drain, Esq.
Non-Public Arbitrator, Panelist

Signature Date

MARCH 4, 2003

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

ARBITRATION PANEL

James P. O'Donnell

Michael H. McConihe, Esq.

Ida W. Drain, Esq.

- Public Arbitrator, Chairperson
- Public Arbitrator, Panelist
- Non-Public Arbitrator, Panelist

Concurring Arbitrators' Signatures

James P. O'Donnell

Public Arbitrator, Chairperson

Signature Date



Michael H. McConihe, Esq.
Public Arbitrator, Panelist

03-03-03

Signature Date

Ida W. Drain, Esq.

Non-Public Arbitrator, Panelist

Signature Date

MARCH 4, 2003

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ARBITRATION PANEL

James P. O'Donnell

Michael H. McCarthy, Esq.

Ida W. Drain, Esq.

- Public Arbitrator, Chairperson
- Public Arbitrator, Panelist
- Non-Public Arbitrator, Panelist

Consenting Arbitrators' Signatures

James P. O'Donnell

Public Arbitrator, Chairperson

Signature Date

Michael H. McCarthy, Esq.

Public Arbitrator, Panelist

Signature Date

Ida W. Drain

Ida W. Drain, Esq.

Non-Public Arbitrator, Panelist

3-04-03
Signature Date

MARCH 4, 2003

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