

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION**

CASE: 01-02284

John W. Mulvena, Claimant/Counterclaim Respondent vs. WallStreet Electronica and Mike Simmons, Respondents/Counterclaim Claimants.

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**ATTORNEYS:**

Claimant/Counterclaim Respondent appeared pro se, Bettendorf, IA.

For Respondents/Counterclaim Claimants appeared Carlos Francisco Otalvaro, Miami, FL.

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DATE FILED: May 3, 2001

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**CASE SUMMARY:** Claimant/counterclaim Respondent alleged that Respondents/counterclaim Claimants omitted information regarding trades made in his account. Claimant/counterclaim Respondent maintained that due to Respondents'/counterclaim Claimants' actions, the account suffered losses.

**COUNTERCLAIM CASE SUMMARY:** Respondents/Counterclaim Claimants alleged that Claimant's statements regarding Respondent/Counterclaim Claimant caused them considerable legal and administrative expenses.

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**Claim Data**

Claim: \$10,625.38  
Punitive: \$425.00  
Filing Fees: \$300.00  
Other: \$125.00

**Award Data**

Award: \$.00  
Punitive: \$.00  
Filing Fees: \$.00  
Other: \$.00

**Counterclaim Data**

Claim: Cost: Unspecified  
Attorney Fees: Unspecified

**Award Data**

Cost: \$.00  
Attorney Fees: \$.00

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**AWARD:** The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The claims of Claimant/counterclaim Respondent are dismissed in their entirety. 2) All other relief requests are denied. 3) The \$425.00 filing fee previously deposited with NASD Dispute Resolution by the Claimant/counterclaim Respondent, shall be retained by NASD Dispute Resolution.

**COUNTERCLAIM AWARD:** The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The claims of Counterclaim Claimants/Respondents are dismissed in their entirety. 2) All other relief requests are denied.

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**OTHER FEES:** Pursuant to Rule 10333 of the Code, Respondent WallStreet Electronica has not paid to NASD Dispute Resolution the \$400.00 Member Surcharge previously invoiced.

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**OTHER ISSUES:** Counterclaim Claimants/Respondents' Motion to Dismiss was denied by the arbitrator.

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Leonard Arthur Nelson

Sole Public Arbitrator

**AFFIRMATION**

I, Leonard Arthur Nelson, do hereby affirm, upon my oath as arbitrator that I am the individual described herein who executed this instrument, which is my oath and award.

Leonard A. Nelson  
Leonard Arthur Nelson

Aug. 19, 2002  
Signature Date

August 28th 2002  
Date of Service (For NASD-DR office use only)