

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 01-02511

Cornelius Shields, claimant vs. Wit Capital Corporation, respondent.

ATTORNEYS:

Claimant appeared pro se, New York, NY.

For Respondent appeared Charles M. Mattingly, Esq., in-house counsel, Old Greenwich, CT.

DATE FILED: May 14, 2001

CASE SUMMARY: Claimant alleged that respondent placed incorrect information on his Form U-5 regarding the termination of his employment.

Claim Data

Claim: \$1.00

Claim: Expungement of incorrect information
on Form U-5

Award Data

Award: \$.00

Award: Granted

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The arbitrator orders the following expungement relief based upon the defamatory nature of the information from claimant, Cornelius Shields, IV's, registration records maintained in the NASD Central Registration Depository ("CRD") system: a) that CRD expunge that portion of Section 13 (formerly Section 12) of Claimant's Form U-5, which states that Claimant was "Discharged" and also recommends the expungement of the accompanying explanation which states, "General Job Performance Issues"; b) The arbitrator orders respondent Wit Capital Corporation to file a Form U-5 for claimant in which the box in Section 13 (formerly Section 12) labeled "Voluntary" is checked as the reason for termination. 2) All other relief requests are denied. 3) The \$50.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the claimant, shall be retained by NASD Dispute Resolution, Inc.

OTHER FEES: Pursuant to Rule 10333 of the Code, respondent has paid to NASD Dispute Resolution, Inc. the \$150.00 Member Surcharge previously invoiced.

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Warren R. Haas

Sole Non-Public Arbitrator

AFFIRMATION

I, Warren R. Haas, 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 which is my award.

W R Haas

Warren R. Haas

6 Dec 2001

Signature Date

December 19, 2001

Date of Service (For NASD-DR office use only)