

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 01-03059

Rafael Colon, claimant vs. Barington Capital Group, Inc. and Shawn Cantor, respondents.

ATTORNEYS:

Claimant, Rafael Colon, appeared pro se., Teaneck, NJ

For Respondent, Barington Capital Group, Inc., appeared Stuart A. Jackson, New York, NY.

For Respondent, Shawn Cantor, appeared Eden L. Rohrer, Esq., New York, NY.

DATE FILED: June 11, 2001

CASE SUMMARY: Claimant alleged that due to the unauthorized trades and unsuitable recommendations of respondents, his account suffered a loss.

Claim Data

Claim: \$18,559.26
Punitive: \$6,000.00
Attorney Fees: unspecified
Filing Fees: unspecified
Other: unspecified
Interest: unspecified

Award Data

Award: \$3,459.56
Punitive: \$.00
Attorney Fees: \$.00
Filing Fees: \$212.50
Other: \$.00
Interest: @ the statutory rate from
6/25/98 to date of payment of award

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents are jointly and severally liable and shall pay to the claimant \$3,459.56. 2) All requests for attorney fees are denied. 3) All requests for punitive damages are denied. 4) Respondents are jointly and severally liable and shall pay claimant interest at the statutory rate from 6/25/98 to date of payment of award. 5) All other relief requests are denied. 6) The \$425.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the claimant, shall be retained by NASD Dispute Resolution, Inc. 7) Respondents are jointly and severally liable and shall pay claimant \$212.50 as reimbursement of half of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent, Barington Capital Group, Inc. has paid to NASD Dispute Resolution, Inc. the \$400.00 Member Surcharge previously invoiced.

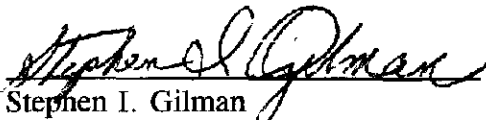
Page Two
Award 01-03059

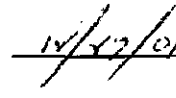
Stephen I. Gilman

Sole Public Arbitrator

AFFIRMATION

I, Stephen I. Gilman, 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.


Stephen I. Gilman


Signature Date

January 11, 2002

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