

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 02-04650

Murry M. Shapero, claimant vs. New York Urban Professionals Basketball League, Inc., New York Urban Professionals Basketball League Profit-Sharing Plan, and John Bykowsky, Individually and as President of New York Urban Professional Basketball League, Inc., and as Trustee of New York Urban Professional Basketball League Profit-Sharing Plan, respondents.

ATTORNEYS:

For Claimant appeared Scott D. Stechman, Esq. of the firm Lehman & Eilen, LLP, Uniondale, NY.

Respondents appeared pro se through John Bykowsky, New York, NY.

DATE FILED: August 7, 2002

CASE SUMMARY: Claimant requested expungement of all reference to previous NASD-DR arbitration 99-00631 from his CRD record in accordance with a settlement agreement signed by the parties.

Claim Data

Claim: Expungement
Other: \$.00

Award Data

Award: Granted
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The arbitrator recommends the expungement of all reference to NASD DR arbitration 99-00631 from claimant, Murry Shapero's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notices to Members 99-09, claimant, Murry Shapero must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive. 2) All other relief requests are denied. 3) The \$1,250.00 filing fee previously deposited with NASD Dispute Resolution by the claimant, shall be retained by NASD Dispute Resolution.

OTHER FEES: Pursuant to Rule 10333 of the Code, Barington Capital Group, L.P. has paid to NASD Dispute Resolution the \$1,500.00 Member Surcharge previously invoiced.

Page Two
Award 00-04650

Robert T. Simmelkjaer, PhD

Sole Public Arbitrator

AFFIRMATION

I, Robert T. Simmelkjaer, PhD, 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.


Robert T. Simmelkjaer, PhD

March 3, 2003
(Signature Date)

March 13, 2003
Date of Service (For NASD-DR office use only)