

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

John Capozzi (Claimant) v. HSBC Brokerage (USA) Inc. as Successor in Trust for
Republic Financial Services (Respondent)

Case Number: 02-05866

Hearing Site: New York, New York

REPRESENTATION OF PARTIES

Claimant, John Capozzi, hereinafter referred to as "Claimant": John Weber, Esq.,
Brooklyn, NY.

Respondent, HSBC Brokerage (USA) Inc. as Successor in Trust for Republic Financial
Services, hereinafter referred to as "Respondent": Paul K. Stecker, Esq., Phillips, Lytle,
Hitchcock, Blaine & Huber, LLP, Buffalo, NY.

CASE INFORMATION

Statement of Claim filed on or about: September 26, 2002.

Claimant signed the Uniform Submission Agreement: September 14, 2002.

Statement of Answer filed by Respondent on or about: January 10, 2003.

Respondent signed the Uniform Submission Agreement: November 5, 2002.

CASE SUMMARY

Claimant asserted the following causes of action: incorrect quantity; incorrect transfers;
negligent handling of his account; and errors/charges. Claimant's claim involved shares
of Class C Putnam Growth Opportunities Fund; Strong Funds of Wisconsin; Alliance
Mutual Fund; Putnam Mutual Fund.

Unless specifically admitted in its Answer, Respondent denied the allegations made in the
Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimant requested \$350,000 in actual damages; interest on the above amount dating
back to the transactions in question; costs; attorneys' fees; and punitive damages in the
amount of 3 times his loss.

Respondent requested that the Panel Dismiss the Statement of Claim and to award it the

costs of this proceeding.

OTHER ISSUES CONSIDERED AND DECIDED

At the hearing in this matter, Respondent made a Motion to Dismiss. Said Motion was denied by the Panel.

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, and 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 hereby denied in their entirety.
2. Respondent is liable for and shall pay to Claimant the sum of \$500.00, to reimburse Claimant for the filing fee previously paid to NASD Dispute Resolution.
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	= \$ 500.00
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Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated persons at the time of the events giving rise to the dispute. Accordingly, HSBC Brokerage (USA) Inc. is a party.

Member surcharge	= \$2,800.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$5,000.00

Forum Fees and Assessments

The Panel has assessed forum fees for each session conducted. A session is any meeting between the parties and the arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with Panel @ \$1,200.00	= \$1,200.00
Pre-hearing conference: June 9, 2003 1 session	
Two (2) Hearing sessions @ \$1,200.00	= \$2,400.00
Hearing Date: September 23, 2003 2 sessions	
Total Forum Fees	= \$3,600.00

1. The Panel has assessed \$3,600.00 of the forum fees against Respondent.

Fee Summary

1. Claimant is solely liable for:	
Initial Filing Fee	= \$ 500.00
Total Fees	= \$ 500.00
Less payments	= \$ 1,725.00
The NASD Dispute Resolution shall refund to the Claimant	= \$ 1,225.00

As stated in the "award" section above, Respondent is liable and shall reimburse Claimant for the \$500.00 filing fee.

2. Respondent is solely liable for:	
Member Fees	= \$ 8,550.00
Forum Fees	= \$ 3,600.00
Total Fees	= \$12,150.00
Less payments	= \$ 8,550.00
Balance Due NASD Dispute Resolution	= \$ 3,600.00

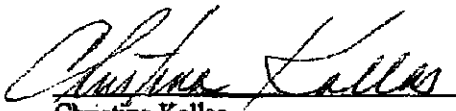
All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

Christina Kallas, Esq.	-	Public Arbitrator, Presiding Chair
Ira M. Starr, Esq.	-	Public Arbitrator
Warren R. Haas	-	Non-Public Arbitrator

Concurring Arbitrators' Signature(s)

I, the undersigned arbitrator, 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 in which is my award.



Christina Kallas
Public Arbitrator, Presiding Chairperson

Oct 16, 2003
Signature Date

Ira M. Starr, Esq.
Public Arbitrator

Signature Date

Warren R. Haas
Non-Public Arbitrator

Signature Date

October 16, 2003

Date of Service (For NASD Dispute Resolution use only)

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Signature Date



Ira M. Starr, Esq.
Public Arbitrator



Signature Date

Warren R. Haas
Non-Public Arbitrator

Signature Date

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Public Arbitrator

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Non-Public Arbitrator

Signature Date

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