

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 03-00032

Matthew A. Burello, claimant vs. John Bruzzese, respondent.

ATTORNEYS:

Claimant appeared pro se, Pittsburgh, PA.

Respondent appeared pro se, Moon Township, PA.

DATE FILED: January 3, 2003

CASE SUMMARY: Claimant alleged that respondent advised him to omit information on his Form U-4 regarding the fact that he was charged but not convicted of a felony or misdemeanor. Claimant maintained that because respondent advised him to omit this information, his Form U-5 should be expunged.

Claim Data

Claim: \$50.00
Claim: Expungement
Filing Fees: \$0.00

Award Data

Award: \$0.00
Award: Granted
Filing Fees: \$25.00

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 are dismissed in their entirety. 2) All other relief requests are denied. 3) The \$50.00 filing fee previously deposited with NASD Dispute Resolution by the claimant, shall be retained by NASD Dispute Resolution. 4) Respondent is liable and shall pay claimant \$25.00 as reimbursement of one half of the filing fee. 5) The arbitrator recommends the expungement of the "failure to disclose criminal charges on Form U-4" answer to the Termination Comment question on Matthew A. Burello's form U-5 based on the defamatory nature of information be immediately replaced with no comment; the arbitrator orders John Bruzzese to file an amended Form U-5 for Matthew A. Burello in which the box in Section 13(formerly Section 12) checked "Discharge" is immediately changed to "mutual".

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


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Award 03-00032

Paul H. McKenna

Sole Non-Public Arbitrator

AFFIRMATION

I, Paul H. McKenna, 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.


Paul H. McKenna

Signature Date 5/4/03

May 9, 2003

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