

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 03-02686

Josephthal & Co., Inc., Claimant v. Matthew F. Tenaglia, Respondent.

ATTORNEYS:

For Claimant, Josephthal & Co., Inc., ("Claimant"), appeared Eric J. Shames, Esq., New York, NY.

For Respondent, Matthew F. Tenaglia, ("Respondent"), appeared Michael Uilla, Esq., Brooklyn, NY.

NATURE OF DISPUTE: Member v. Associated Person

DATE FILED: April 11, 2003

CASE SUMMARY: Claimant alleged that Respondent has failed and refused to repay amounts owed pursuant to the terms of promissory notes as well as an income deficit. Claimant maintained that due to Respondent's action, the corporation suffered financial losses.

Claim Data

Claim: \$16,827.46.00
Interest: At the rate of 14% from 7/19/02
through the date of the award
Attorney Fees: \$3,000.00
Filing Fees: \$1,475.00
Other: Unspecified

Award Data

Award: \$15,000.00
Interest: \$.00

Attorney Fees: \$.00
Filing Fees: \$525.00
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is liable and shall pay to the Claimant \$15,000.00. 2) All requests for interest are denied. 3) All requests for attorney fees are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$1,050.00 filing fee that the Claimant deposited previously. 6) Respondent is liable and shall pay Claimant \$525.00 as reimbursement of one-half of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Claimant has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

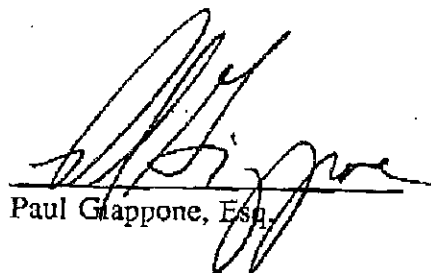
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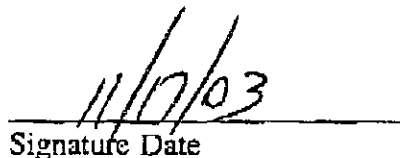
Paul Giappone, Esq.

Sole Non-Public Arbitrator

AFFIRMATION

I, Paul Giappone, Esq., 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.


Paul Giappone, Esq.


Signature Date

November 28, 2003
Date of Service (For NASD-DR office use only)