

Stipulated Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

The Estate of Joseph Escapa by Executrix Effie Escapa and Effie Escapa (Claimants) v.
Washington Square Securities, Inc. and Kalyan George Raman (Respondents)

Case Number: 03-03812

Hearing Site: New York, New York

Nature of the Dispute: Customers v. Member and Associated Person.

REPRESENTATION OF PARTIES

Claimants The Estate of Joseph Escapa by Executrix Effie Escapa ("The Estate") and Effie Escapa ("E. Escapa") hereinafter collectively referred to as "Claimants": Ross B. Intelisano, Esq., Rich Intelisano, LLP, New York, NY. Previously represented by: Ross Intelisano, Esq., Bauman Katz & Grill, LLP, New York, NY.

Respondents Washington Square Securities, Inc. ("WSSI") and Kalyan George Raman ("K. Raman") hereinafter collectively referred to as "Respondents": Adolfo J. Anzola, Esq., previously Matthew Tracy, Esq., Winget, Spadafora & Schwartzberg, LLP, New York, NY.

CASE INFORMATION

Statement of Claim filed on or about: May 22, 2003.

Claimants signed the Uniform Submission Agreement: May 19, 2003 and July 28, 2003.

Joint Statement of Answer filed by Respondents on or about: August 11, 2003.

Respondent WSSI signed the Uniform Submission Agreement: June 19, 2003.

Respondent K. Raman signed the Uniform Submission Agreement: September 4, 2003.

CASE SUMMARY

Claimants asserted the following causes of action: unsuitability; misrepresentations and omissions; breach of fiduciary duty; fraud; failure to supervise; breach of contract; negligence; gross negligence; negligent misrepresentation; and respondeat superior. The causes of action relate to the purchase of Rochester Class B municipal bond fund; Fidelity Advisor Technology Class B; Fidelity Advisor Growth Opportunities Class B; Fidelity Advisor Financial Services Technology Class B; and Fidelity Advisor Health Care Class B; and an annuity.

Unless specifically admitted in their Answer, Respondents denied the allegations of wrongdoing set forth in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimants requested total damages in the amount of \$74,000.00: \$36,000.00 in the joint account and \$38,000.00 in the annuity; interest, attorneys' fees; costs; and any other relief the Panel deems appropriate.

Respondents requested an award dismissing the Statement of Claim; costs, including attorneys' fees; imposing forum fees on the Claimant; and such other and further relief as the Panel deems just and appropriate.

OTHER ISSUES CONSIDERED AND DECIDED

On or about June 10, 2004, Claimant notified NASD Dispute Resolution that they settled with Respondents and withdrew their claims, with prejudice, against the Respondents. On or about June 15, 2004, the parties submitted a Stipulated Award for the Panel's approval. This document is annexed as Exhibit "A".

The parties agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

The parties entered into an agreement to present to the Panel a Stipulated Award. After reading the joint affidavit submitted by the attorneys for both the Claimant and Respondents, in lieu of a hearing and upon motion of both parties for an entry of an award, the written stipulation thereto, the Panel grants the motion and enters this award granting the following relief:

1. The claims against all Respondents are dismissed with prejudice and the parties will equally share the costs.
2. The Panel recommends the expungement of all reference to the above captioned arbitration from Respondent K. Raman's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, Respondent K. Raman must obtain confirmation from a court of competent jurisdiction before CRD will execute the expungement directive (NASD Rule 2130, which went into effect on April 12, 2004, does not apply to this matter since the Claimants' Statement of Claim was filed prior to the effective date of this rule).
3. Any and all relief not specifically addressed herein 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 = \$225.00

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 person at the time of the events giving rise to the dispute. In this matter, Washington Square Securities, Inc. is a party.

Member Surcharge	= \$1,100.00
Pre-Hearing Process Fee	= \$ 750.00
<u>Hearing Process Fee</u>	= \$1,700.00
Total Member Fees	= \$3,550.00

Forum Fees and Assessments

The Panel assesses forum fees for each hearing session conducted. A hearing 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. Forum fees associated with these proceedings are:

Two (2) Pre-hearing conference sessions with the Panel @ \$750.00/session	= \$1,500.00
Pre-hearing conference: October 20, 2003 1 session	
September 22, 2004 1 session	
<u>Total Forum Fees</u>	= \$1,500.00

1. The Panel has assessed \$ 750.00 of the forum fees jointly and severally against Claimants.
2. The Panel has assessed \$ 375.00 of the forum fees against Respondent WSSI.
3. The Panel has assessed \$ 375.00 of the forum fees against Respondent K. Raman.

Fee Summary

1. Claimants are jointly and severally liable for:

Initial Filing Fee	= \$ 225.00
<u>Forum Fees</u>	= \$ 750.00
Total Fees	= \$ 975.00
<u>Less payments</u>	= \$ 975.00
Balance Due NASD Dispute Resolution	= \$ 0.00

2. Respondent WSSI is solely liable for:

Member Fees	= \$3,550.00
<u>Forum Fees</u>	= \$ 375.00

Total Fees	= \$3,925.00
<u>Less payments</u>	<u>= \$3,550.00</u>
Balance Due NASD Dispute Resolution	= \$ 375.00

3. Respondent K. Raman is solely liable for:

<u>Forum Fees</u>	<u>= \$ 375.00</u>
Total Fees	= \$ 375.00
<u>Less payments</u>	<u>= \$ 0.00</u>
Balance Due NASD Dispute Resolution	= \$ 375.00

All balances are due and payable to NASD Dispute Resolution

Parties' Signatures

Effie Escapa
The Estate of Joseph Escapa
By Executrix Effie Escapa
Claimant

7/6/04
Signature Date

Effie Escapa
Effie Escapa
Claimant

7/6/04
Signature Date

Washington Square Securities, Inc.
Respondent

Signature Date

Kalyan George Raman
Respondent

Signature Date

Parties' Signatures

The Estate of Joseph Escapa
By Executrix Effie Escapa
Claimant

Signature Date

Effie Escapa
Claimant

Signature Date

Ramona R. Ruppert
Washington Square Securities, Inc.
Respondent

6-28-04
Signature Date

Kalyan G. Raman
Kalyan George Raman
Respondent

7/8/2004
Signature Date

ARBITRATION PANEL

Constantine N. Katsoris, Esq.	-	Public Arbitrator, Presiding Chair
Deborah Sherman, Esq.	-	Public Arbitrator
Theodore Moreines	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures



Constantine N. Katsoris, Esq.
Public Arbitrator, Presiding Chair

Nov. 9, 2004

Signature Date

Deborah Sherman, Esq.
Public Arbitrator

Signature Date

Theodore Moreines
Non-Public Arbitrator

Signature Date

November 11, 2004
Date of Service (For NASD office use only)


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Theodore Moreines	-	Non-Public Arbitrator

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Constantine N. Katsoris, Esq.
Public Arbitrator, Presiding Chair

Signature Date



Deborah Sherman, Esq.
Public Arbitrator



Signature Date

Theodore Moreines
Non-Public Arbitrator

Signature Date

November 11, 2004
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