

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION**

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CASE: 04-04071

Gabriel Carbone, Claimant v. Fixed Income Securities, Inc. and Donald Scott Rykert,  
Respondents

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**ATTORNEYS:**

For Claimant Gabriel Carbone ("Claimant") appeared Brian Guillorn, Esq., New York, NY.

For Respondents Income Securities, Inc. and Donald Scott Rykert (collectively "Respondents")  
appeared Brian A. Carlis, Esq., of the firm Stark & Stark, P.C., Princeton, NJ.

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**NATURE OF DISPUTE:** Customer v. Member and Associated Person.

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**DATE FILED:** June 9, 2004.

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**CASE SUMMARY:** Claimant alleged that Respondents placed him in investments that were unsuitable to his needs and risk tolerance. Claimant further alleged that Respondents failed to disclose material facts regarding the investments, and that Respondent Fixed Income Securities, LLC failed to properly supervise Respondent Rykert. Claimant's claim involved Marconi Bonds, AT&T Canada Bonds, and Enron Bonds. Claimant maintained that due to Respondents' actions, his account suffered losses.

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**Claim Data**

Claim: \$18,791.95  
Interest: Unspecified  
Attorney Fees: Unspecified  
Filing Fees: Unspecified  
Other: Unspecified

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**Award Data**

Award: \$8,800.31  
Interest: \$9,709.12  
Attorney Fees: \$.00  
Filing Fees: \$425.00  
Other: \$.00

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**AWARD:** The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents are jointly and severally liable and shall pay to the Claimant \$8,800.31. 2) Respondents are jointly and severally liable and shall pay to the Claimant interest in the amount of \$9,709.12 calculated at a rate of 10.327% from August 1, 2000 through September 15, 2010. 3) All requests for attorney fees are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant deposited previously. 6) Respondents are jointly and severally liable and shall pay Claimant \$425.00 as reimbursement of the filing fee.

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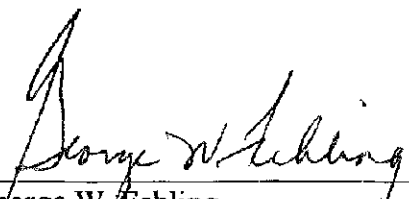
**OTHER FEES:** Pursuant to Rule 10333 of the Code, Respondent Fixed Income Securities, LLC has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

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George W. Fehling - Sole Public Arbitrator

AFFIRMATION

I, George W. Fehling, 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.

  
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George W. Fehling

  
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Signature Date

February 2, 2005  
Date of Service (For NASD-DR office use only)