

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-04883

David Lerner Associates, Claimant v. Joseph Tiriolo, Respondent

ATTORNEYS:

For Claimant David Lerner Associates ("Claimant") appeared Thomas J. Ruhle, Jr., Compliance Officer, David Lerner Associates, Syosset, NY.

Respondent Joseph Tiriolo ("Respondent") appeared *pro se*, Milford, CT.

NATURE OF DISPUTE: Member v. Associated Person.

DATE FILED: July 7, 2004.

CASE SUMMARY: Claimant alleged that Respondent failed to repay monies owed to Claimant and therefore breached the terms of an Account Executive Agreement. Claimant maintained that due to Respondent's actions, it suffered losses.

Claim Data

Claim: \$4,666.00
Specific Performance: No Solicitation
Specific Performance: Return Records
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$0.00
Specific Performance: Denied
Specific Performance: Denied
Filing Fees: \$0.00
Other: \$0.00

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) NASD Dispute Resolution shall retain the \$525.00 filing fee that the Claimant deposited previously.

OTHER FEES: Pursuant to Rule 10333 of the Code, Claimant has paid to NASD Dispute Resolution the \$200.00 Member Surcharge previously invoiced.

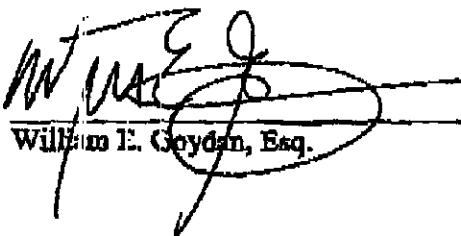
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ARBITRATOR

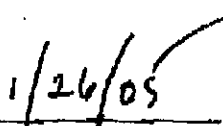
William E. Goydan, Esq. - Sole Non-Public Arbitrator

AFFIRMATION

I, William E. Goydan, Esq., 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.



William E. Goydan, Esq.



Signature Date

January 27, 2005

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