

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

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CASE: 04-04948

Jeffrey P. Cahn (Claimant) v. Sheen Financial Resources and Brian Sheen (Respondents)

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**ATTORNEYS:**

For Claimant Jeffrey P. Cahn ("Claimant") appeared Theodore M. Davis, Esq., Brooklyn, NY.

For Respondents Sheen Financial Resources and Brian Sheen (collectively "Respondents") appeared Brian J. Sheen, Boca Raton, FL.

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**NATURE OF DISPUTE:** Associated Person vs. Member and Associated Person.

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**DATE FILED:** July 12, 2004.

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**CASE SUMMARY:** Claimant alleged that Respondents placed defamatory remarks on his Form U-5. Claimant maintained that due to Respondents' actions, he suffered losses.

**COUNTERCLAIM CASE SUMMARY:** Respondents alleged that Claimant stole client lists and used them to procure new employment and bonuses. Respondents maintained that due to Claimant's actions, they suffered losses.

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<b>Claim Data</b>	<b>Award Data</b>
Claim: \$50.00	Award: \$0.00
Claim: Expungement	Claim: Granted
Filing Fees: Unspecified	Filing Fees: \$0.00
<b>Counterclaim Data</b>	<b>Award Data</b>
Counterclaim: \$20,000.00	Award: \$0.00

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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) Claimant's claims for monetary damages are denied. 2) Respondents' counterclaims are denied in their entirety. 3) The arbitrator recommends that CRD expunge any and all references to the Internal Review disclosure reported by Sheen Financial Resources via Forms U5 and the corresponding U4 termination disclosures regarding Claimant's termination from Sheen Financial Resources. This includes the information contained in Legacy Disclosure Occurrence Details as well as the information converted from the Legacy Disclosure DRP format to Claimant's Web CRD "Current" Disclosure Occurrences. The arbitrator orders this expungement based on the defamatory nature of the information. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$50.00 filing fee that the Claimant deposited previously. 6) Respondents shall pay NASD Dispute Resolution a Counterclaim filing fee in the amount of \$750.00 and a Counterclaim hearing session deposit in the amount of \$300.00.

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**OTHER FEES:** Pursuant to Rule 10333 of the Code, Respondent Sheen Financial Resources, Inc. has not paid to NASD Dispute Resolution the \$150.00 Member Surcharge.

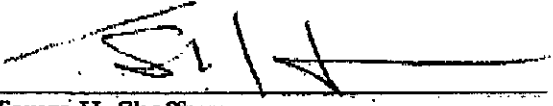
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Tamra H. Sheffman

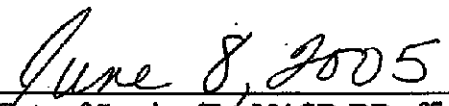
Sole Public Arbitrator

AFFIRMATION

I, Tamra H. Sheffman, 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.

  
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Tamra H. Sheffman

  
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Signature Date

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