

AWARD  
NASD DISPUTE RESOLUTION

---

In the Matter of the Arbitration Between:

Lauren M. Montillo vs. EBI Securities Corporation a/k/a Global Capital Securities Corporation,  
and Andrew Scott Koppel.

Case Number: 04-5643

---

SITUS: Baltimore, Maryland.

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

**REPRESENTATION OF PARTIES**

Claimant, Lauren M. Montillo "Claimant", was represented by William N. Butler, Esq., Howard, Butler & Melfa, P.A., Towson, Maryland.

Respondents EBI Securities Corporation a/k/a Global Capital Securities Corporation ("EBI"), and Andrew Scott Koppel ("Koppel") did not enter an appearance in this matter.

---

DATE FILED: April 22, 2004

---

**CASE SUMMARY:** Claimant alleged the following causes of action, among others: Recommendation and sale of unsuitable securities, *respondeat superior*, failure to supervise, violation of Section 10(b) of the Securities and Exchange Act of 1934, breach of fiduciary duty, and conduct rule violations. Claimant's claim involved the purchase of various unspecified securities.

---

**CLAIM DATA:**

**Award Data**

Claim:	\$429,000.00	Award:	\$429,000.00
Punitive:	\$250,000.00	Punitive:	\$ 00.00
Attorneys' Fees:	amount unspecified	Attorney's Fees:	\$ 00.00
Costs:	amount unspecified	Costs:	\$ 4,365.00
Interest:	amount unspecified	Interest:	\$ 00.00

---

**OTHER ISSUES:**

By letter dated March 23, 2005 Claimant opted to proceed against all Respondents pursuant to Rule 10314(e) of the *NASD Code of Arbitration Procedure* ("Code"). The Arbitrator determined that Respondents EBI and Koppel were properly served notice of the Statement of Claim by first class mail, and that Respondents EBI and Koppel are required to submit to arbitration pursuant to the Code and are bound by the determination of the Arbitrator on all issues submitted.

**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 to and shall pay to Claimant \$429,000.00 plus interest on that amount at the rate of 6% per annum. Interest shall accrue on a simple basis from April 15, 2001 until the date of the Award, and at the rate of 10% per annum from the date of the Award until the date the Award is paid in full;
- 2) Respondents are jointly and severally liable to and shall pay to Claimant costs in the amount of \$4,365.00;
- 3) All requests for attorneys' fees are denied;
- 4) All requests for punitive damages are denied;
- 5) All other relief requests are denied in their entirety.

### FORUM FEES

#### Forum Fees and Assessments

The \$375.00 filing fee previously deposited with NASD Dispute Resolution by Claimant shall be retained by NASD Dispute Resolution.

The Arbitrator has assessed forum fees for each session conducted. A session is any meeting between the parties and the arbitrator(s), including a pre-hearing conference with the arbitrator(s), that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with a Panel @ \$1,200.00	= \$1,200.00
Pre-hearing conference: February 25, 2005 1 session	

<u>Fee for Decision on the Paper Record</u>	<u>= \$ 300.00</u>
---	--------------------

Total Forum Fees	= \$1,500.00
------------------	--------------

1. The Arbitrator has assessed \$1,500.00 of the forum fees jointly and severally to Respondents.

### ARBITRATION PANEL

J. Martin McDonough, Jr., Esq.

Sole Public Arbitrator

  
J. Martin McDonough, Jr., Esq.

20 March, 2006  
(Signature Date)

3/21/06  
Date of Service (For NASD-DR office use only)