

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-07363

Joseph Nye IRA, Claimant v. Fred Kahn and Kevin Boyce, Respondents

ATTORNEYS:

Claimant Joseph Nye IRA ("Claimant") appeared *pro se*, Groton, NY.

For Respondents Fred Kahn and Kevin Boyce (collectively "Respondents") appeared D. Jeffrey Gosch, Esq., Syracuse, NY.

NATURE OF DISPUTE: Customer vs. Associated Persons.

DATE FILED: October 13, 2004.

CASE SUMMARY: Claimant alleged that Respondents sold mutual funds and replaced them with a series of buys and sells of speculative stocks without his authorization. Claimant maintained that due to Respondents' actions, his account suffered losses. Claimant's claim involved common stock, corporate bonds, mutual funds, and options.

Claim Data

Claim: \$12,541.55

Filing Fees: \$0.00

Award Data

Award: \$8,361.03

Filing Fees: \$283.33

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 \$8,361.03. 2) All other relief requests are denied. 3) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant deposited previously. 4) Respondents are jointly and severally liable and shall pay Claimant \$283.33 as reimbursement of the two-thirds of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Ridgeway & Conger, the member firm that the Respondents were associated with at the time of the dispute, has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

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Award 04-07363

Richard N. Goldstein, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Richard N. Goldstein, Esq., 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.

Richard N. Goldstein
Richard N. Goldstein, Esq.

3/22/05
Signature Date

April 8, 2005
Date of Service (For NASD-DR office use only)