

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

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CASE: 05-01221

Mark Poveromo, (Claimant) vs. Brian John Wahlfeld, (Respondent)

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**ATTORNEYS:**

Claimant appeared pro se, Woodbury, CT.

Respondent appeared pro se, Remsenburg, NY.

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**NATURE OF DISPUTE:** Customer vs. Associated Person

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**DATE FILED:** March 7, 2005

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**CASE SUMMARY:** Claimant alleged that Respondent omitted and misrepresented facts regarding his investments. Claimant maintained that due to Respondent's actions, he suffered financial losses. Claimant's claim involved common stock.

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**Claim Data**

Claim: \$19,972.49  
Filing Fees: \$425.00  
Other: \$2,572.49

**Award Data**

Award: \$.00  
Filing Fees: \$.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) The claims of the Claimant are dismissed in their entirety. 2) All other relief requests are denied. 3) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant deposited previously. 4) The Arbitrator recommends the expungement of all reference to the above captioned arbitration from Respondent Brian John Wahlfeld's registration records maintained by the Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notices to Members 04-16, Respondent Brian John Wahlfeld must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive. Unless specifically waived in writing by the NASD, parties seeking judicial confirmation of an arbitration award containing expungement relief must name NASD as an additional party and serve NASD with all appropriate documents. Pursuant to Rule 2130 of the NASD Code of Arbitration Procedure, the arbitrator has made the following affirmative findings of fact: The claim, allegation, or information is factually impossible or clearly erroneous.

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**OTHER FEES:** Pursuant to Rule 10333 of the Code, Emmett A. Larkin Company, Inc. has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

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Award 05-01221

William I. Carmen, CPA

Sole Public Arbitrator

AFFIRMATION

I, William I. Carmen, CPA, 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 I. Carmen  
William I. Carmen, CPA

Sept. 29, 2005  
(Signature Date)

September 30, 2005  
Date of Service (For NASD-DR office use only)