

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-01947

Martin Martiarena, (Claimant) vs. Ramirez & Co., Inc., (Respondent)

ATTORNEYS:

For Claimant appeared Curtis E. Pew, Esq., of the Benjamin N. Cardozo School of Law, New York, NY.

For Respondent appeared in-house counsel Jerry Auld, Esq., New York, NY.

NATURE OF DISPUTE: Customer vs. Member

DATE FILED: April 13, 2005

CASE SUMMARY: Claimant alleged that Respondent breached its fiduciary duty and made unauthorized sales of stock. Claimant maintained that due to Respondent's actions, he suffered financial losses. Claimant's claim involved unspecified common stock.

Claim Data

Claim: \$8,217.50
Interest: from 10/13/03 to present

Filing Fees: Unspecified

Award Data

Award: \$4,163.50
Interest: 9% per annum from
4/10/03 - date of payment of award.
Filing Fees: \$325.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is liable and shall pay to the Claimant \$4,163.50. 2) Respondent is liable and shall pay to Claimant interest at the rate of 9% per annum from April 10, 2003 to the date of payment of the award. 3) All other relief requests are denied. 4) NASD Dispute Resolution shall retain the \$325.00 filing fee that the Claimant deposited previously. 5) Respondent is liable and shall pay Claimant \$325.00 as reimbursement of the filing fee.


OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent has paid to NASD Dispute Resolution the \$325.00 Member Surcharge previously invoiced.

Sandra J. Mullings, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Sandra J. Mullings, 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.


Sandra J. Mullings, Esq.

8/16/05
(Signature Date)

AUGUST 17, 2005
Date of Service (For NASD-DR office use only)