

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Maria L. Minguez (Claimant) v. Aristides Bantis (Respondent)

Case Number: 05-03767

Hearing Site: New York, New York

Nature of the Dispute: Associated Person v. Customer

REPRESENTATION OF PARTIES

Claimant Maria L. Minguez hereinafter referred to as "Claimant": David M. Kasell, Esq., The Roth Law Firm, PLLC, New York, NY.

Respondent Aristides Bantis hereinafter referred to as "Respondent" appeared *pro-se*.

CASE INFORMATION

Statement of Claim filed on or about: July 22, 2005.

Claimant signed the Uniform Submission Agreement: July 13, 2005.

Respondent did not submit a Statement of Answer or a Uniform Submission Agreement.

CASE SUMMARY

Claimant asserted the following cause of action: re-issuance of Award for expungement.

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$1.00 and expungement of all references of NASD Arbitration No. 99-05299, Aristides Bantis vs. New Times Securities, Inc., Samuel Contstantis, Andrew W. Holtmeyer, Carl J. Holly, Michael J. Silk, and Maria L. Minguez, from Claimant's CRD record.

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, the Arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

1. The Arbitrator recommends the expungement of all reference to the above captioned arbitration from Claimant Maria L. Minguez's registration records maintained by the Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notices to Members 04-16, Claimant Maria L. Minguez 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 arbitration panel has made the following affirmative findings of fact:

The claim, allegation, or information is clearly erroneous in that Claimant was neither a control person nor in the chain of supervision of Mr. Samuel Contstantis, the principle individual named as a Respondent in NASD Arbitration Case No. 99-05299, Aristides Bantis vs. New Times Securities, Inc., Samuel Contstantis, Andrew W. Holtmeyer, Carl J. Holly, Michael J. Silk, and Maria L. Minguez, but was solely employed by the compliance department of Samuel Contstantis' employer, New Times Securities, Inc., and was never made aware of the allegations against Samuel Contstantis until Mr. Aristides Bantis filed a complaint in 1999, and

The registered person, Maria L. Minguez, was not involved in the alleged investment-related sales practice violation of Mr. Samuel Contstantis, as testified to by Maria L. Minguez, and confirmed at this hearing by Respondent Aristides Bantis.

2. Any and all relief not specifically addressed herein is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee	= \$ 25.00
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Forum Fees and Assessments

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

One (1) Pre-hearing session with single arbitrator @ \$25.00	= \$ 25.00
Pre-hearing conference: March 21, 2006 1 session	

Two (2) Hearing sessions with single arbitrator @ \$25.00	= \$ 50.00
Hearing date: April 12, 2006 2 sessions	

Total Forum Fees = \$ 75.00

1. The Arbitrator has assessed \$75.00 of the forum fees to Claimant.

Fee Summary

1. Claimant is solely liable for:

Initial Filing Fee	= \$ 25.00
<u>Forum Fees</u>	<u>= \$ 75.00</u>
Total Fees	= \$ 100.00
<u>Less payments</u>	<u>= \$ 500.00</u>
Refund Due Claimant	= \$ 400.00

All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

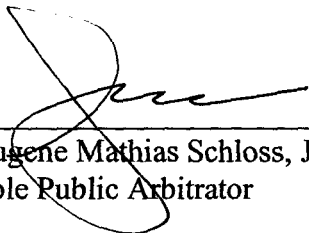
ARBITRATOR

Eugene Mathias Schloss, Jr., Esq.

Sole Public Arbitrator

Arbitrator's Signature

I, the undersigned arbitrator, 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.



Eugene Mathias Schloss, Jr., Esq.
Sole Public Arbitrator

4/18/05

Signature Date

April 24, 2006

Date of Service (For NASD Dispute Resolution use only)