

NASD DISPUTE RESOLUTION STIPULATED AWARD
NASD DISPUTE RESOLUTION

CASE: 05-05072

Prudential Equity Group, LLC and Mary Ellen Kay, (Claimants) vs. Loretta D. Abrams, Loretta D. Abrams IRA Rollover and L. Abrams beneficiary of Mr. Hyman Abrams IRA Rollover, (Respondents)

ATTORNEYS:

For Claimant Prudential Equity Group, LLC appeared Christopher G. Massey, Esq., of the firm Bressler, Amery & Ross, P.C., Morristown, NJ.

For Claimant Mary Ellen Kay appeared Michael Kalmus, Esq., of the firm Law Office of Michael Kalmus, New York, NY.

For Respondents appeared Michael Gilmore, Esq., of the firm Sims, Moss, Kline & David, LLP, Mineola, NY.

NATURE OF DISPUTE: Member and Associated Person vs. Customers

DATE FILED: September 28, 2005

CASE SUMMARY: Claimants are seeking expungement of all reference to NASD Arbitration case number 04-03019 pursuant to the terms of a settlement agreement for that matter. All parties are in agreement and have stipulated that the expungement should be granted.

Claim Data

Claim: Expungement

Award Data

Award: Granted

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The Arbitrator recommends the expungement of all reference to NASD case number 04-03019 from Claimant Mary Ellen Kay's registration records maintained by the Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notices to Members 04-16, Claimant Mary Ellen Kay 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 registered person was not involved in the alleged investment-related sales practice violation, forgery, theft, misappropriation, or conversion of funds.

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Award 05-05072

John Daly, Esq.

Sole Public Arbitrator

AFFIRMATION

I, John Daly, 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.



John Daly, Esq.

8/1/06
(Signature Date)

August 2, 2006
Date of Service (For NASD-DR office use only)