

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Loren J. Andreo, Jr., (aka Andy J. Andreo, Jr.), Loren J. Andreo, Jr., Custodian for Michelle Andreo, Janet Andreo, Loren J. Andreo, III, Melissa Andreo, and Meghan Andreo (Claimants) v. Cardinal Capital Management, Inc., Anthony Peluso, Brentley Martin, and Peter Glaser (Respondents)

Case Number: 06-00668

Hearing Site: Hartford, Connecticut

Nature of the Dispute: Customers vs. Member and Associated Persons.

REPRESENTATION OF PARTIES

Claimants Loren J. Andreo, Jr., (aka Andy J. Andreo, Jr.), Loren J. Andreo, Jr., Custodian for Michelle Andreo, Janet Andreo, Loren J. Andreo, III, Melissa Andreo, and Meghan Andreo, hereinafter collectively referred to as "Claimants": Thomas P. Willcutts, Esq., Willcutts Law Group, LLC, Hartford, CT.

Cardinal Capital Management ("Cardinal") did not enter an appearance in this matter.

Anthony Peluso ("Peluso"): Jeffrey Klein, Esq., Boca Raton, FL. Previously appeared *pro se*.

Peter J. Glaser ("Glaser") did not enter an appearance in this matter.

Brentley Martin ("Martin"): Brian D. Condon, Jr., Esq., Winthrop, ME. Previously appeared *pro se*.

CASE INFORMATION

Statement of Claim filed on or about: February 7, 2006.

Claimant Loren J. Andreo, Jr., (aka Andy J. Andreo, Jr.) signed the Uniform Submission Agreement: March 26, 2006.

Claimant Loren J. Andreo, Jr., Custodian for Michelle Andreo signed the Uniform Submission Agreement: March 26, 2006.

Claimant Janet Andreo signed the Uniform Submission Agreement: March 26, 2006.

Claimant Loren J. Andreo, III signed the Uniform Submission Agreement: March 26, 2006.

Claimant Melissa Andreo signed the Uniform Submission Agreement: March 25, 2006.

Claimant Meghan Andreo signed the Uniform Submission Agreement: April 2, 2006.

Statement of Answer filed by Peluso on or about: September 11, 2006.

Peluso signed the Uniform Submission Agreement: September 11, 2006.

Statement of Answer filed by Martin on or about: August 31, 2006.

Amended Statement of Answer filed by Martin on or about: September 27, 2006.

Martin signed the Uniform Submission Agreement: September 27, 2006.

Cardinal did not file a Statement of Answer or a signed Uniform Submission Agreement.

Glaser did not file a Statement of Answer or a signed Uniform Submission Agreement.

CASE SUMMARY

Claimants asserted the following causes of action: violations of the State of Connecticut Uniform Securities Act, breach of contract, unsuitability, respondeat superior, failure to supervise, and negligence and professional malpractice. Claimants' claims involve Abovenet Communications, warrants of Eagle Supply Group, Fabriano Ltd., and Webb Mortgage Depot.

Unless specifically admitted in his Answer, Peluso denied the allegations made in the Statement of Claim.

Unless specifically admitted in his Answer, Martin denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimants requested: compensatory damages in the amount of \$107,000 or in such amount that is proven at the hearing; a refund of commissions, fees, and margin interest; rescission of the Fabriano and Webb Mortgage Company purchases totaling \$75,000; 8% interest as allowed by law or equity; punitive damages in the same amount of compensatory damages and rescission; reasonable attorneys' fees as authorized by the Connecticut Uniform Securities Act; all costs, fees, and expenses incurred in this matter as authorized by the Connecticut Uniform Securities Act; and such other legal and equitable relief as deemed proper.

Peluso requested that the Statement of Claim be denied in its entirety.

Martin requested a dismissal of the Statement of Claim, in full, costs, fees,

expenses, and attorneys' fees.

OTHER ISSUES CONSIDERED AND DECIDED

Upon review of the file and the representations made by/on behalf of the Claimants, the undersigned arbitrators (the "Panel") determined that Respondents Cardinal and Glaser have been properly served with the Statement of Claim and received due notice of the pre-hearing conferences and that arbitration of the matter would proceed without said Respondents present, in accordance with the NASD Code of Arbitration Procedure (the "Code").

Respondents Cardinal and Glaser did not file with NASD Dispute Resolution properly executed Uniform Submission Agreements but are required to submit to arbitration pursuant to the Code and are bound by the determination of the Panel on all issues submitted.

Respondents Peluso and Martin each made Motions to Dismiss this arbitration, with prejudice, based on Rule 10304(a) of the Code. Claimants made a Motion to Dismiss, without prejudice, based on Rule 10305 of the Code. On December 14, 2006, the Panel conducted a telephonic pre-hearing conference and heard oral arguments on the Motions.

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

After considering the pleadings, the testimony and evidence presented at the December 14, 2006 pre-hearing conference, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Claimants' claims are dismissed without prejudice pursuant to Rule 10305(c) of the Code.
2. Any and all relief not specifically addressed herein, including punitive damages, 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 = \$300.00

Forum Fees and Assessments

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

Two (2) Pre-hearing sessions with Panel @ \$1,125.00	= \$2,250.00
Pre-hearing conferences: October 27, 2006	1 session
December 14, 2006	1 session
Total Forum Fees	= \$2,250.00

1. The Panel has assessed \$1,125.00 of the forum fees jointly and severally against Claimants.
2. The Panel has assessed \$1,125.00 of the forum fees jointly and severally against Peluso and Martin.

Fee Summary

1. Claimants are jointly and severally liable for:

Initial Filing Fee	= \$ 300.00
Forum Fees	= \$1,125.00
Total Fees	= \$1,425.00
<u>Less payments</u>	<u>= \$1,425.00</u>
Balance Due NASD Dispute Resolution	= \$ 0.00
2. Respondents Peluso and Martin are jointly and severally liable for:


Forum Fees	= \$1,125.00
Total Fees	= \$1,125.00
<u>Less payments</u>	<u>= \$ 0.00</u>
Balance Due NASD Dispute Resolution	= \$1,125.00

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

ARBITRATION PANEL

Elisabeth Seieroe Maurer, Esq.	-	Public Arbitrator, Presiding Chairperson
David A. Dee	-	Public Arbitrator
Martin J. DeGennaro	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures



Elisabeth Seieroe Maurer, Esq.
Public Arbitrator, Presiding Chairperson

12/22/06

Signature Date

David A. Dee
Public Arbitrator

Signature Date

Martin J. DeGennaro
Non-Public Arbitrator

Signature Date

December 29, 2006

Date of Service (For NASD Dispute Resolution use only)

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David A. Dee	-	Public Arbitrator
Martin J. DeGennaro	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

Elisabeth Seieroe Maurer, Esq.
Public Arbitrator, Presiding Chairperson

Signature Date

David A. Dee
Public Arbitrator

Signature Date

Martin J. DeGennaro
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David A. Dee
Public Arbitrator

Signature Date



Martin J. DeGennaro
Non-Public Arbitrator

1/3/07

Signature Date

December 29, 2006

Date of Service (For NASD Dispute Resolution use only)