

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between	:	
	:	
Stephen Visakay	:	
Frank Visakay	:	
	:	
vs.	:	AWARD
	:	
Stanley A. Aslanian	:	Case #88-00548
L.F. Rothschild and Co., Inc.	:	
	:	
	:	
	:	

Case Summary

Claimants Stephen Visakay and Frank Visakay alleged the Respondent Stanley Aslanian executed transactions in Claimants account without obtaining authorization from the Claimants and failed to follow instructions to execute a sell order. Claimants further allege Respondent L.F. Rothschild and Co., Inc. acted in a negligent manner in accepting orders from Haas Securities Corp.. Respondent L.F. Rothschild and Co., Inc. maintains that the Claimants ratified all transactions, and it can bear no responsibility for the acts of Haas Securities Corp. and further maintains that L.F. Rothchild and Co., Inc. relationship with Haas Securities Corp. was to provide back office operations and a bookkeeping function. Respondent Stanley A. Aslanian maintains Haas Securities Corp. never made any transactions in Claimants account without prior approval and that Claimants ratified and approved the trades complained of. Respondent Stanley A. Aslanian further alleges he never received the sell order complained of.

Relief Requested

Claimant requested damages of \$92,569.67. Respondent L.F. Rothchild and Co., Inc. requested a dismissal of claim against L.F. Rothschild and Co., Inc. and that costs be assessed against parties other than L.F. Rothschild and Co., Inc.. Respondent Stanley A. Aslanian requested a dismissal of Claimants Claim and that Claimants be required to pay Respondent Stanley A. Aslanian's costs and legal fees.

Award


On July 20, 1989 said date representing one hearing session the undersigned arbitrators heard the controversy between the parties at the Offices of the National Association of Securities Dealers, Inc. located in New York City, NY as set forth in submissions to arbitration signed by

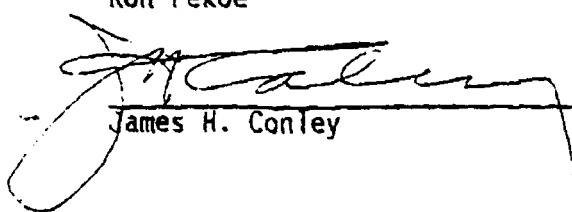
Claimants, Stephen Visakay and Frank Visakay on February 19, 1988 and by Respondent L.F. Rothschild & Co., Inc. on April 12, 1988 and by Respondent Stanley A. Aslanian on April 25, 1988. The Statement of Claim was filed with the National Association of Securities Dealers, Inc. on February 22, 1988. The arbitration panel, having considered the pleadings, the testimony, and the evidence presented at the hearing, has determined in full and final resolution of the issues submitted for determination as follows:

1. Prior to the commencement of the first hearing session the Arbitration Panel was advised that Claimants Stephen Visakay and Frank Visakay had reached a settlement agreement with Respondent L.F. Rothschild and Co., Inc. and accordingly the arbitrators did not consider the claims between these parties.
2. In accordance with Section 21 and Section 26 of the Code of Arbitration Procedure, Respondent Stanley A. Aslanian was served with the Statement of Claim and given an opportunity to respond.
3. In accordance with Section 21 and Section 26 of the Code of Arbitration Procedure, Respondent Stanley A. Aslanian was given due notice of the hearing procedure by regular and certified mail and failed to appear.
4. In accordance with Section 29 of the Code of Arbitration Procedure, the Arbitration Panel determined in light of the foregoing information to proceed with the hearing as scheduled.
5. The Respondent Stanley A. Aslanian be and hereby is liable and shall pay to the Claimants Stephen Visakay and Frank Visakay the sum of Sixty Five Thousand Thirty Seven Dollars and Ninety Eight Cents (\$65,037.98).
6. The parties shall each bear their respective costs including attorneys' fees.
7. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$500.00 filing fee previously deposited by the Claimant. The Respondent Stanley A. Aslanian be and hereby is liable and shall pay to the Claimant the sum of \$500.00 to offset the filing fee paid by the Claimants.

Arbitrators Concurring


Joseph A. Schubín, Esq.


Ron Pekoe


James H. Conley

DATED: July 27th, 1989