

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

James Florini

Claimant(s)

vs.

Brownstone Smith Securities
Corporation and Paul F. Joyce

Respondent(s)

NOTICE OF ARBITRATION

AWARD

88-01175

CASE SUMMARY

Claimant James Florini alleged that Respondent Brownstone Smith Securities Corporation through Paul F. Joyce failed to execute the Claimants sell order of Thoroughbred Investments Inc. "T.I.". Respondent Brownstone Smith Securities Corp. maintains they were unaware of any dealings and conversations between the Co-Respondent Mr. Joyce and the Claimant and therefore unable to execute Claimants sell or order for T.I. stock.

RELIEF REQUESTED

Claimant James Florini requested damages of in the amount of \$8,125 which represents the proceeds from the sale of 162,500 shares of T.I. stock. Respondents requested dismissal of claim and costs.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on April 5, 1988 and by Respondents on June 9, and September 21, 1988. The Arbitrator, having considered the proofs of the parties, has determined in full and final resolution of the issue submitted for determination as follows:

That the Respondent Brownstone Smith Securities Corp. shall pay the Claimant the amount of \$5,687.50 plus 9% interest from April 5, 1988 to the date the award is paid. Claim against Co-Respondent Paul Joyce shall be dismissed.

The parties shall each bear their respective costs including attorney's fees.

Robert Gleichenhaus

The \$200.00 filing fee previously deposited with the NASD, Inc. by the Claimant shall be retained by the NASD for administrative costs and reimbursed to the Claimant by Brownstone-Smith Securities Inc..

July 6, 1989