

### Case Summary

### Relief Requested

### Award

On December 27, 1989 in Buffalo, New York in two hearing sessions, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant Joseph V. Marone on February 6, 1989 and not signed by Respondent Wally Bakalinski as required by Sections 12 and 25 of the Code of Arbitration Procedure. The initial claim was filed on February 9, 1989. Respondent Wally Bakalinski failed to appear at the scheduled hearing on December 27, 1989 in Buffalo, New York despite due notice being given. Pursuant to their authority under Section 29 of the Code of Arbitration Procedure, the arbitrators determined that the hearing would go forward. The arbitrators, 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. Respondent Wally Bakalinski is liable and shall pay to the Claimant Joseph V. Marone the sum of Eighty Seven Thousand Three Hundred Fifty Three Dollars and No Cents (\$87,353.00).
2. The parties shall each bear their respective costs including attorney fees.
3. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall refund the \$500.00 filing fee previously deposited by the Claimant. All other forum fees are waived.

CONCURRING ARBITRATORS

*Robert C. Moscan*  
Robert C. Moscan  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires Sept. 18, 1990

*David C. Steinhilber*  
David C. Steinhilber

*Marlene F. Maue*  
MARLENE F. MAUE  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 9, 1992

*Donald T. Cook*  
Donald T. Cook

*Hyman M. Scheff*  
Hyman M. Scheff

*Kelly Griffin*  
KELLY GRIFFIN  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires Nov 3, 1991