

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Robert W. Vieira

Claimant(s)

vs.

Don Arbital

Respondent(s)

NOTICE OF
ARBITRATION
AWARD
89-00972

CASE SUMMARY

Claimant(s) Robert W. Vieira alleged that Respondent(s) Don Arbital refused to execute a sell order by Claimant and refused to send a check to Claimant for the proceeds of the sale requested. Respondent maintains that he was not Claimant's broker and could not execute the sell order as requested.

RELIEF REQUESTED

Claimant(s) Robert W. Vieira requested damages of Two Hundred Thirty Seven Dollars and Fifty Cents (\$237.50). Respondent(s) requested dismissal of claim and costs.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, Thomas B. Corey, Esq., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant(s) on March 14, 1989 and by Respondent(s) on November 15, 1989, respectively;

And, that the Arbitrator, having considered the proofs of the Parties, including any additional documentary submissions of the Claimant(s) and the Respondent(s) has decided and determined in full and final resolution of the issue submitted for determination as follows:

The Respondent is liable and shall pay to the Claimant the sum of Two Hundred Thirty Seven Dollars and Fifty Cents (\$237.50).

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

The \$15.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) is assessed against the Respondent and shall be refunded to the Claimant by the Respondent.

March 15, 1990