

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Joseph and Mary Rubino

vs.

Claimant(s)

Power Securities Corp.
and Bernard R. Schmitt

Respondent(s)

NOTICE OF ARBITRATION

AWARD

89-01098

CASE SUMMARY

Claimant(s) Joseph and Mary Rubino alleged that Respondent(s) Power Securities Corp. and Bernard R. Schmitt would not execute sell orders. Respondent Schmitt denies all allegations. Respondent Power Securities did not defend.

RELIEF REQUESTED

Claimant(s) Joseph and Mary Rubino requested damages of Ten Thousand Dollars and No Cents (\$10,000.00). 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, Ronee C. McLaughlin, 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 April 8, 1989 and not by the Respondents as required by Section 12(a) of the NASD, Inc. Code of Arbitration Procedure, respectively;

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

That the Respondents are jointly and severally liable and will pay to the Claimant the sum of Seven Thousand Two Hundred Twenty Eight Dollars and Seventy-Five Cents (\$7,228.75).

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

The \$200.00) filing fee previously deposited with the NASD, Inc. by the Claimant(s) will be refunded to the Claimant by the Respondent Bernard R. Schmitt.

October 23, 1989