

IN THE MATTER OF THE ARBITRATION BETWEEN	:	
	:	
Albert Sfeir	:	
	:	Case #89-01102
Claimant	:	
	:	
vs.	:	AWARD
	:	
	:	
	:	
Dave Augustine	:	
	:	
Respondent	:	

Claimant Albert Sfeir alleged that Respondent Dave Augustine made false representations concerning certain stocks, and that the Claimant relied on these representations to his detriment. Claimant also alleged that the Respondent failed to sell the Claimant's stocks pursuant to the Claimant's instructions.

Respondent Dave Augustine contended he never made any misrepresentations, and always acted properly and in good faith. Respondent also contended that he attempted to put in the Claimant's sell order, and he did not know why they were not executed. Further, Respondent contended he was eventually taken off of the Claimant's account, and should not be held liable for any subsequent damages suffered.

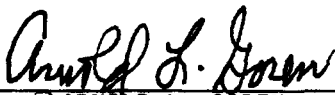
**Claimant Albert Sfeir requested actual damages of \$25,000.00. Respondent Dave Augustine requested dismissal of all claims made against him.**

On July 30, 1990, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant Albert Sfeir on March 29, 1989, and by Respondent Dave Augustine on November 10, 1989. The initial claim was filed on April 12, 1989. The hearing was conducted at the offices of the National Association of Securities Dealers, Inc. in New York City, NY and consisted of one (1) hearing session. 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. Respondent Dave Augustine be and hereby is liable and shall pay to the Claimant Albert Sfeir the sum of Two Thousand Dollars and No Cents (\$2,000.00), inclusive of interest.

2. The parties shall each bear their respective costs including attorney's fees.
3. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$400.00 filing fee previously deposited by the Claimant as costs of the one (1) hearing session conducted in this matter.

CONCURRING ARBITRATORS

  
\_\_\_\_\_  
ARNOLD L. GOREN

  
\_\_\_\_\_  
WALTER B. BANCROFT

  
\_\_\_\_\_  
BARRY QUINT

DATED: August 24<sup>th</sup>, 1990

STATE OF *NEW YORK*

S.S.:

COUNTY OF *NEW YORK*

On this *14th* day of *August*, 1990, before me personally appeared **ARNOLD L. GOREN** to me known and known to me to be the individual described in and who executed the foregoing instrument and be duly acknowledged to me that he executed the same

*Betty J. Allen*

BETTY J. ALLEN  
Notary Public, State of New York  
No. 31-4722188  
Qualified in New York County  
Commission Expires *Dec 31, 1990*

STATE OF *New York*

S.S.:

COUNTY OF *Nassau*

On this *21st* day of *August*, 1990, before me personally appeared **WALTER B. BANCROFT** to me known and known to me to be the individual described in and who executed the foregoing instrument and be duly acknowledged to me that he executed the same

*Marvin E. Silver*

MARVIN E. SILVER  
NOTARY PUBLIC, State of New York  
No. 30-300 00250  
Qualified in Nassau County  
Commission Expires *Mar 31, 1991*

STATE OF *New York*

S.S.:

COUNTY OF *Rochester*

On this *22* day of *August*, 1990, before me personally appeared **BARRY QUINT** me known and known to me to be the individual described in and who executed the foregoing instrument and be duly acknowledged to me that he executed the same

*Frances A. Bahr*  
*Notary*

FRANCES A. BAHR  
NOTARY PUBLIC  
NO. 000  
QUALIFIED IN ROCHESTER COUNTY  
COMMISSION EXPIRES JAN 1 1991 2