

**NATIONAL ASSOCIATION OF SECURITIES DEALERS**

**In the Matter of the Arbitration Between  
Raphael Cubisino**

**Claimant(s)**

**vs.**

**Monmouth Investments, Inc.**

**Respondent(s)**

**NOTICE OF  
ARBITRATION  
AWARD  
89-01401**

**CASE SUMMARY**

Claimant(s) Raphael Cubisino alleged that Respondent(s) Monmouth Investments, Inc. failed to execute a sell order at the price quoted. Additionally, Raphael Cubisino alleged that Respondent Monmouth Investments, Inc. executed the sell order one day later than requested. Respondent(s) did not defend.

**RELIEF REQUESTED**

Claimant(s) Raphael Cubisino requested damages of Two Thousand One Hundred Forty Dollars and No Cents (\$2,140.00).

**AWARD**

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, Albert A. Rapoport, 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 May 10, 1989 and not by the Respondent as required by the NASD, Inc. Code of Arbitration Procedure;

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:

The Respondent is liable and shall pay to the Claimant the sum of Two Thousand One Hundred Forty Dollars and No Cents (\$2,140.00).

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

The \$25.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be refunded to the Claimant by the Respondent.

December 5, 1989