

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Scott Diamond

Claimant(s)

vs.

Thomas D'Auria

Respondent(s)

NOTICE OF ARBITRATION
AWARD
89-01451

CASE SUMMARY

Claimant(s) Scott Diamond alleged that Respondent(s) Thomas D'Auria engaged in unauthorized trading in Claimant's account. Respondent(s) denied all allegations by Claimant.

RELIEF REQUESTED

Claimant(s) Scott Diamond requested damages of Two Thousand Six Hundred Dollars and No Cents (\$2,600.00). 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 March 31, 1989 and not by the Respondent 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 Respondent(s) has decided and determined in full and final resolution of the issue submitted for determination as follows:

That the Respondent Thomas D'Auria is liable and will pay to the Claimant the sum of Two Thousand Six Hundred Dollars and No Cents (\$2,600.00).

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

The \$100.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) will be refunded to the Claimant by Thomas D'Auria.

October 19, 1989