

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between)	
Rudy Sampieri c/f Carl Sampieri,)	
)	
Claimant)	Case #89-01474
)	
vs.)	Award
)	
M.H. Meyerson & Co.,)	
and Ralph Incantalupo,)	
)	
Respondents)	

CASE SUMMARY

recommended an investment purchase of
unavailable investment
Claimant, Rudy Sampieri c/f Carl Sampieri, alleged that Respondent, Ralph Incantalupo, ~~misrepresented the stock~~, First Provident Group, for which his firm was allegedly a Market Maker and encouraged him to sell the majority of his portfolio and use the money to purchase First Provident Group which later plummeted causing Claimant to lose all but \$5,085.00 of his original investment of \$22,700.00 which happened to be his life savings. Respondent, Ralph Incantalupo, maintained that he never advised Claimant to purchase First Provident, that Rudy Sampieri bought the stock for his son without any encouragement from him.

RELIEF REQUESTED

Claimant is requesting \$17,615.00, plus attorney's fees and costs.

Respondents are requesting that all claims against them be dismissed.

AWARD

On March 15th and March 27th, 1990 ~~for a total of three sessions~~ the undersigned arbitrators heard the controversy between the parties as set forth in a submission to arbitration signed by Claimants Carl Sampieri and Rudi Sampieri on May 3, 1989, and by Respondents Ralph Incantalupo and M.H. Meyerson on July 25, 1989. * 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:

* The hearing was held in N.Y.C. The hearing consisted of 3 hearing sessions.

Ralph Incantolupo
7-25-89
and M.H. Mayerson
7-25-89

March 15th & March 27th - 1990 - for a total of 3 sessions
AWARD
Carl Sampieri & Rudy Sampieri
May 3/9

On the undersigned arbitrators heard the controversy between the parties as set forth in a submission to arbitration signed by Claimant@ on @ and by Respondent@ on @. 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. @ That the claims of the Claimant are
2. @ dismissed in all respects.
3. The parties shall each bear their respective costs including attorneys' fees.

the \$400-

4. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall ~~the so~~ Retain the filing fee previously deposited by the Claimant@ and Respondent@ shall be assessed forum fees in the amount of \$@ ~~1,200~~ ~~\$436~~ of the ~~COA Procedure~~ ~~\$800~~ ~~Amount to~~ CONCURRING ARBITRATORS.

@ Richard W. Vallario, Esq.

@ Cynthia H. Plishtin

@ Louis Green