

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between :
: Barbara Mallardi : AWARD
: Claimant : #89-01818
vs. :
: Blinder, Robinson & Co., Inc. :
: Respondent :

Case Summary

Claimant Barbara Mallardi alleged that Respondent Blinder Robinson & Co., Inc. executed unauthorized trades of common stock in her account and failed to correct the errors despite statements to do so by Respondent. Respondent Blinder, Robinson & Co., Inc. maintained that the Claimant failed to mitigate her damages after discovery of the alleged unauthorized trades and failed to object to the trades in a timely manner in writing.

Relief Requested


Claimant requested damages in the amount of \$1,685.00. Respondent requested that the claim of the Claimant be dismissed.

Award

On November 13, 1989 in New York City in one hearing session, the undersigned arbitrator heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant Barbara Mallardi on June 21, 1989 and by Respondent Blinder, Robinson & Co., Inc. on August 16, 1989. The arbitrator, 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. The claim of Claimant Barbara Mallardi be and hereby is dismissed in all respects.
2. The parties shall each bear their respective costs including attorney fees.
3. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall refund the \$25.00 filing fee previously deposited by the Claimant as costs of the one hearing session conducted in this matter.

CONCURRING ARBITRATOR


Milton Lehrer

Date Served 12/7/89