

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between	}	CASE NO. 89-01936
EUGENE R. SALAMON		
Claimant		
and		
LEONARD J. MESSINA and FIRST AMERIGROUP SECURITIES, INC.		
Respondents		

CASE SUMMARY

Eugene R. Salamon ("Claimant") alleged that:

1. Leonard J. Messina and First Amerigoup Securities, Inc. ("Respondents") misrepresented and failed to disclose all of the material facts regarding the Amerigroup Equipment Leasing Program ("the investment");
2. Claimant did not meet the financial suitability requirements of the investment and the Respondents were aware of or should have been aware of this fact; and
3. Respondent violated the Securities and Exchange Act of 1934, the Securities Act of 1933, the Illinois Securities Act, and the NASD Rules of Fair Practice.

Respondents denied each claim of the Claimant and further alleged that:

1. Claimant was a registered representative;
2. Claimant was a sophisticated investor;
3. Claimant sold the investment and knew all the risks related to the investment; and
4. Claimant was suitable for the investment.

RELIEF REQUESTED

Claimant requested damages in the amount of \$4,812.50, interest, costs, plus punitive damages equal to three times actual damages.

Respondents requested that all of the claims of the Claimant be dismissed.

AWARD

On June 23, 1989 the Claimant submitted his Statement of Claim to the NASD. On February 20, 1990 in a hearing lasting two sessions, the undersigned arbitrator heard the controversy between the parties as set forth in submissions to arbitration signed on April 6, 1989 by Claimant, and on February 20, 1990 by Leonard J. Messina, Individually and on behalf of Respondent First Amerigroup Securities, Inc.

The arbitrator, having considered the pleadings, the testimony, and the evidence presented at the hearing, has decided in full and final resolution of the issues submitted for determination as follows:

1. All claims asserted by the Claimant against the Respondents are hereby dismissed;
2. The parties shall bear their own costs;
3. Pursuant to Section 43(b) of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain as forum fees, the \$100.00 filing fee previously deposited with the NASD by the Claimant.

Presiding Arbitrator

Dated: February 20, 1990 /S/ John W. Jerak, Esq.