

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Rachel Gabbai

Claimant(s)

vs.

Rose & Co.

Respondent(s)

NOTICE OF ARBITRATION
AWARD
89-02010

CASE SUMMARY

Claimant(s) Rachel Gabbai alleged that Respondent(s) Rose & Co. made an improper execution of the trade. Respondent maintains that Claimant is fully responsible for the loss of the transaction.

RELIEF REQUESTED

Claimant(s) Rachel Gabbai requested damages of Four Thousand One Hundred Five Dollars and No Cents (\$4,105.00). 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, David I. Bursten, 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 July 7, 1989 and by Respondent(s) on September 25, 1989, respectively;

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 the sum of Four Thousand One Hundred Five Dollars and No Cents (\$4,105.00) to the Claimant with interest accruing at the rate of 12% per year from the date of this award until payment is made.

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) shall be retained by the NASD as costs of this proceeding.

November 16, 1989