

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between
Frank M. and Frances Charles

Claimant(s)

vs.

A. Marino and Joe Marino
and Andy Delano

Respondent(s)

NOTICE OF
ARBITRATION
AWARD
89-02282

CASE SUMMARY

Claimant(s) Frank M. and Frances Charles alleged that Respondent(s) A. Marino and Joe Marino and Andy Delano made misrepresentations. Respondent(s) Annette & Joseph Marino maintain that they have no personal knowledge as to the account the Claimants had at David-Maxwell and have never had a conversation with the Claimants. Respondent Andy Delano failed to respond.

RELIEF REQUESTED

Claimant(s) Frank M. and Frances Charles requested damages of Three Thousand One Hundred Eight Dollars and No Cents (\$3,108.00). 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, Deena Powell, 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 August 2, 1989 and by Respondent(s) on September 15, 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 claim of the Claimant is hereby dismissed in all respects.

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

The \$100 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be retained by the NASD as costs of this proceeding.

January 30, 1990