

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Joseph and Eleanor O'Brien

Claimant(s)

vs.

Monmouth Investments, Inc.,
Securities Settlement Corp.
and Roy Ageloff

Respondent(s)

NOTICE OF
ARBITRATION
AWARD
89-02404

CASE SUMMARY

Claimant(s) Joseph and Eleanor O'Brien alleged that Respondent(s) Monmouth Investments, Inc., Securities Settlement Corp. and Roy Ageloff failed to execute a stop loss order to sell shares of stock. Respondent(s) Ageloff and Securities Settlement Corp. maintain that they are not a proper party to the dispute. In addition, Securities Settlement Corp. cross-claims Monmouth Investment for any liability arising out of the above-referenced proceeding. Monmouth Investments, Inc. is out of business and did not respond to either the claim or cross-claim.

RELIEF REQUESTED

Claimant(s) Joseph and Eleanor O'Brien requested damages of Nine Thousand Six Hundred Eighty Eight Dollars and No Cents (\$9,688.00). 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, Scott Wallner, 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 24, 1989 and by Respondent(s) on November 22, 1989 and November 24, 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 Monmouth Investments Inc. shall be solely liable to the Claimant for the amount of Two Thousand Dollars and No Cents (\$2,000.00). The Claim against Securities Settlement Corp. and Roy

Ageloff shall be dismissed in its entirety. The cross claim of Securities Settlement Corp. shall also be dismissed.

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

The \$200 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be reimbursed by Monmouth to the Claimant.

May 8, 1990