

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Alvin Wilson

Claimant

vs.

Mark Milana

Respondent

CASE #89-02534
AWARD

CASE SUMMARY

Claimant alleges Respondent failed to execute an order to sell and further the stock was an unsuitable investment. Respondent denied the allegations and asserted that Claimant was a sophisticated investor, who never gave a direct order to sell.

RELIEF REQUESTED

Claimant seeks \$28,250.00, interest, costs and disbursements. Respondent seeks dismissal.

AWARD

On June 29, 1990, the undersigned arbitrator heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant on August 30, 1989, and by Respondent on November 3, 1989. The hearing was held at the offices of the NASD, Inc. located in New York City, NY and consisted of two (2) hearing sessions. 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. Claims by Claimant be and hereby are dismissed in their entirety.
2. The parties shall each bear their respective costs, including attorney's fees.
3. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$400.00 filing fee previously deposited by the Claimant, and assess an additional \$400.00 against Respondent to represent forum fees.

CONCURRING ARBITRATOR

Deborah Sherman

Deborah Sherman

DATED: July 30, 1990