

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant(s)

Robert A. Chillemi

89-02714

vs.

Name of Respondent(s)

Wall Street Clearing Co.
Michael Morfit

CASE SUMMARY

Claimant alleges that unauthorized purchases were made of \$24,000.00 of stock. Respondent Wall Street Clearing contends that if the trade was authorized then Claimant should pay for the trade and if the trade was wrongfully placed by Respondent Michael Morfit then he should pay for the trade. Respondent Michael Morfit argues that the trade was authorized and the Claimant only refused to pay after Investor's Center, the brokerage firm at which Morfit was employed and which had Claimant's account, was shut down and the stock price plunged.

RELIEF REQUESTED

Claimant seeks reinstatement of his prior position before a sellout plus costs and attorneys' fees and Respondents seek dismissal of the claim. Respondent Wall Street Clearing Co. seeks to be reimbursed for the debit balance resulting from the unpaid trade by Respondent Michael Morfit, or Claimant.

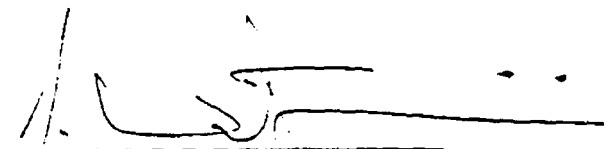
AWARD

On August 30, 1990, the undersigned arbitrator heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant on September 27, 1989, by Respondent Wall Street Clearing Co. on December 8, 1989 and by Respondent Michael Morfit on August 30, 1990. The hearing was conducted at the offices of the NASD, Inc. located in New York City, N.Y. and consisted of one (1) hearing session. 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. Claimant's request for the restoration of his stock position is denied.
2. Claimant is to pay Respondent Wall Street Clearing the sum of Three Thousand (\$3,000) Dollars on the counterclaim.
3. Respondent Morfit is to pay Respondent Wall Street Clearing the sum of Seven Thousand (\$7,000) Dollars on the cross-claim.
4. The parties shall each bear their respective costs, including attorneys' fees.
5. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$400 filing fee previously deposited by the Claimant.

Dated: New York, New York
September 5, 1990



Joseph M. Weitzman, Esq.