

**NATIONAL ASSOCIATION OF SECURITIES DEALERS**

In the Matter of the Arbitration Between

James J. Mainello  
c/f Timothy James Mainello

Claimant(s)

vs.

Prescott, Ball & Turben, Inc.  
and Ted Karle

Respondent(s)

**NOTICE OF  
ARBITRATION  
AWARD  
90-00783**

**CASE SUMMARY**

Claimant(s) James J. Mainello c/f Timothy James Mainello alleged that Respondent(s) Prescott, Ball & Turben, Inc. and Ted Karle made an unsuitable investment and misrepresented it. Respondent(s) maintain that Claimant is a sophisticated investor and was informed about the nature of the investment.

**RELIEF REQUESTED**

Claimant(s) James J. Mainello c/f Timothy James Mainello requested damages of Seven Thousand Dollars and No Cents (\$7,000.00). 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, Richard J. Meunier, 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 April 5, 1990 and by Respondent Prescott, Ball & Turben, Inc. on May 31, 1990 and Ted Karle on May 15, 1990, respectively;

And, that the Arbitrator, having considered the proofs of the Parties, including any additional documentary submissions of the Claimant(s) and the Respondent(s) has decided and determined in full and final resolution of the issue submitted for determination as follows:

That the claim of the Claimant is hereby dismissed in all respects.

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

Notice of Arbitration Award  
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The \$200.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be retained by the NASD as costs of this proceeding.

July 17, 1990