

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between
Kelly Priest & Valentine DeLeon

OATH AND
AWARD OF
ARBITRATOR

90-01290

Claimant

vs.

David Cameron, Robert Ryder &
Ronald Rosato

Respondents

Having been selected as an arbitrator to consider and determine the matter in controversy between the above-captioned parties, I solemnly swear or affirm that:

- I am not an employer of, employed by or related by blood or marriage to any of the parties or witnesses whose names have been disclosed to me, and
- I have no interest directly or indirectly in this proceeding, and
- I know of no existing or past financial, business, professional, family or social relationship which would impair me from performing my duties, and
- I shall consider and decide the controversy faithfully and fairly and render a just award to the best of my understanding,

CASE SUMMARY

Claimant(s) Kelly Priest & Valentine DeLeon alleged that Respondent(s) David Cameron, Robert Ryder & Ronald Rosato failed to execute sell order as requested. Respondent(s) Rosato maintains that he had one contact with Claimants, during which he confirmed to Claimants, that no trade had been executed. Respondent Ryder maintains that Claimants dealt principally with Respondent Cameron and that Claimant was advised that there was no evidence of

execution of the requested trade. Respondent Cameron failed to defend.

RELIEF REQUESTED

Claimant(s) Kelly Priest & Valentine DeLeon requested damages of Five Thousand Four Hundred Sixty Nine Dollars and No Cents (5,469.00). Respondent(s) requested dismissal of claim and costs.

The undersigned being the arbitrator selected to review and determine a matter in controversy between the above-mentioned Claimant(s) and Respondent(s), set forth in a submission to Arbitration signed by the Claimants on May 15, 1990 and by Respondent Ryder on July 13, 1990 and not by Respondents Rosata and Cameron as required by Section 8 of the NASD Inc. Code of Arbitration Procedure respectively;

And, that having reviewed and considered the proofs of the Parties, including any additional documentary submissions of the Claimant(s) and the Respondent(s) has decided and determined that in full and final settlement of the above-captioned matter,

Note: Fill out only those sections which apply to this particular case: Case Number 00-01290:

- 1) Case Dismissed *against Robert Hyder & Ronald Rosato*
- 2) Find for the Claimant *against David Cameron* *for Priest* *for L*
(a) total amount of the award: \$ 2,185 *\$16*
(b) if two or more respondents are liable:
(1) joint and severally liable: yes _____ no _____
(2) if respondents separately liable
list party and the amounts: _____

- 3) Counterclaim of Respondent *OCT 9 1990*
(a) total amount of award: \$ _____
(b) party to receive award: _____
(c) counterclaim dismissed: _____

- 4) Punitive Damages
(a) total amount \$ N/A
(b) name parties against whom damages are to be assessed and in what amounts: _____

(c) claim dismissed: _____

- 5) NASD Fee
(a) assessed against Claimant
(b) assessed against Respondent *Cameron only* X

6) Use this space to expand or clarify any part of the decision above or to indicate other forms of specific relief. *Robert Hyder and Ronald Rosato are dismissed out of the case entirely; on the merits, they are not responsible to claimants. David Cameron is responsible to the claimants in the following amounts: to Kelly Priest \$2,185.00; to Valentine DeLeon \$1,638.75. This is less than the full amount claimed since both Mr. Priest and Mr. DeLeon continued to hold the warrants until they expired and did not re-sell them to mitigate damage. a credit of \$.094 per unit (value as of 3/30/90) was offset against the amount claimed.*

STATE OF *Utah*

} SS:
}

COUNTY OF *Salt Lake*

I, *Langdon T. Owen, Jr.*, do hereby affirm upon my oath as arbitrator that I am the individual described in and who executed this instrument, which is my oath and award.

10/3/90
(DATE)

Langdon T. Owen Jr.
(SIGNATURE OF ARBITRATOR)