

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Katherine N. Caruso

Claimant

vs.

F.N. Wolf and Company, Inc.
and Charles Letizia

Respondents

Case #90-01759
AWARD

CASE SUMMARY

Katherine N. Caruso, in a claim filed with the National Association of Securities Dealers, Inc. on June 21, 1990, alleged that Respondent Charles Letizia while employed at F.N. Wolf and Company, Inc. negligently recommended that she invest in a stock that was totally unsuitable for her objectives. She affirms that Mr. Letizia pressured her with his sales approach.

Respondents, F.N. Wolf and Company, Inc. and Charles Letizia, represented by John J. Butler of Parker, Poe, Adams & Bernstein of Raleigh, NC, in a joint Statement of Answer, maintained that no misrepresentations were made pertaining to the appreciation of the stock in question (Automotive Industries), that research on the stock was significant and that no pressure tactics were used to sell that stock.

Claimant replies that her net worth is not accurately stated by Respondents, that Mr. Letizia was completely aware of her limited resources and family obligations and that high pressure sales tactics have been repeatedly used by the firm.

Respondents state that there are no suits pending against F.N. Wolf and Company, Inc. in North Carolina and that the Keystone Bond Fund contained a variety of grades of bonds and that said fund was liquidated at Twenty One Thousand Seventy Dollars and Seventy Two Cents (\$21,070.72)

RELIEF REQUESTED

Claimant requests Four Thousand One Hundred Eighty Eight Dollars and Seventy Five Cents (\$4,188.75) in damages plus return of her One Hundred Dollar (\$100.00) NASD, Inc. fee.

Respondents request that the arbitrator rule that they are not liable for Claimant's loss.

AWARD

Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Doris R. Bray, Esq., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on June 19, 1990 and by the Respondents on November 5, 1990 and February 20, 1991, respectively;

And, that the Arbitrator, having considered the proof of the Parties, has decided and determined in full and final resolution of the issues submitted for determination as follows:

1. That the Claim of Katherine N. Caruso be, and hereby is, dismissed in its entirety.
2. The parties shall bear their respective costs including attorney's fees.
3. The One Hundred Dollar (\$100.00) filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant shall be retained by the NASD, Inc.

AFFIRMATION

I, DORIS R. BRAY, ESQ., do hereby affirm upon my oath as arbitrator that I am the individual described herein and who executed this instrument, which is my oath and award.

A handwritten signature in dark ink, appearing to read 'Doris R. Bray', is written over a horizontal dashed line.

Signature of Arbitrator

DATED:

July 9, 1991