



Arbitration

National Association of  
Securities Dealers, Inc.  
NASD Financial Center  
33 Whitehall Street  
New York, N.Y. 10004  
FAX (212) 858-4389

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

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In the Matter of the Arbitration Between

Name of Claimant

Sol Berman

vs.

Case #  
90-03612

Name of Respondents

Hugo Perotti  
Arthur Goldstein  
Damon D. Testaverde

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REPRESENTATION

For Claimant: Pro se. However, Claimant appeared at the hearing with his son without objection from Respondents.

For Respondents: Pro se.

CASE INFORMATION

Statement of Claim filed: December 24, 1990.

Claimant's Submission Agreement signed on: December 21, 1990.

Statement of Answer filed by Respondent, Hugo Perotti, on: August 01, 1991.

Respondent, Hugo Perotti, Submission Agreement signed on: September 18, 1991.

Statement of Answer filed by Respondent, Arthur Goldstein, on: August 30, 1991.

Respondent, Arthur Goldstein, Submission Agreement signed on: September 10, 1991.

Statement of Answer filed by Respondent, Damon D. Testaverde, on: October 23, 1991.

Respondent, Damon D. Testaverde, Submission Agreement signed on: October 22, 1991.

HEARING INFORMATION

Hearing Date/Sessions: December 05, 1991 - One session.  
Hearing Location: New York, New York.

CASE SUMMARY

Claimant alleges that an order of 10,000 Mizlou communications warrants placed on March 21, 1990, was unauthorized and that he did not receive the confirmations of the order.

Respondents deny the allegations and contend that the transaction was authorized. Respondents allege that Claimant only complained about the transaction on which he sustained a loss. Respondents further allege that other mail sent to the same address was received by the Claimant.

RELIEF REQUESTED

Claimant requests that this arbitrator award him \$10,405.00 plus interest from March 28, 1990.

Respondents request that the Statement of Claim be denied.

BOARD

After considering the pleadings, the testimony and the evidence presented at the hearing, the undersigned arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

1. All claims asserted by Claimant against Respondents are denied in their entirety.

FORUM FEES

Pursuant to Section 43(c) of the Code of Arbitration Procedure, the following Forum Fees are assessed.

1. Claimant is assessed \$100.00 non-refundable filing fee;
2. Claimant is further assessed \$300.00 in forum fees;
3. Claimant deposited \$400.00 with the NASD which shall be retained to cover the fees assessed.

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Arbitrator's Signature

  
David N. Brainin, Esq.

Sole Public Arbitrator

Date of Decision: December 13, 1991