

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between :
:
Dean Witter Reynolds, Inc. :
:
Claimant :
:
vs. :
CASE #91-01242
AWARD
Richard Angelini :
:
Respondent :

CASE SUMMARY

Dean Witter Reynolds, Inc. by their counsel Dominick J. Dorata, Esq., in a claim filed with the National Association of Securities Dealers, Inc. on April 19, 1991, alleged that Respondent Richard Angelini has failed to satisfy a debit balance in his Active Assets account in spite of demand from Claimant.

Respondent, Richard Angelini failed to respond to the initial service of the Statement of Claim sent to him on April 24, 1991. Personal service of the Statement of Claim, Arbitrator Disclosure, Uniform Submission Agreement, NASD Guidelines and the Code of Arbitration Procedure was made on Richard Angelini by Deputy Richard H. Orrill of the Marshall's office, Van Nuys, CA by leaving same with Mr. Angelini's wife, Stephanie Angelini at 8:15 a.m. on 8/9/91 and also by first class mail sent to Respondent on 8/9/91. Richard Angelini failed to answer the Statement of Claim.

RELIEF REQUESTED

Claimant requests damages of Six Thousand Nine Hundred Seventy-Five Dollars and Thirty-Five Cents (\$6,975.35) plus interest at eleven percent (11%) from December 31, 1990 plus costs and disbursement.

AWARD

Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Norman R. Cohen, 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 April

10, 1991 and not by the Respondent as required by his customer agreement and by Section 13(d) of the Code of Arbitration Procedure;

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 Respondent Richard Angelini is liable and shall pay to the Claimant Dean Witter Reynolds, Inc. the principal damages and interest totalling Seven Thousand Five Hundred Seventy-Two Dollars (\$7,572).
2. The parties shall bear their respective costs including attorney's fees.
3. The Five Hundred Seventy-Five Dollar (\$575) filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant shall be retained by the NASD, Inc. and is assessed against the Respondent Richard Angelini who shall pay Five Hundred Seventy-Five Dollars (\$575) to Claimant Dean Witter Reynolds, Inc.

AFFIRMATION

I, NORMAN R. COHEN, 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.



Signature of Arbitrator

DATED: October 21, 1991