

PUBLIC

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between :

Charles V. Kieseewetter :

Claimant :

vs. :

Gilford Securities, Inc. :

Angelo Armenta :

Respondents :

CASE #91-02729
AWARD

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on September 3, 1991, Claimant, Charles V. Kieseewetter, who appeared Pro Se, alleged that Respondent, Angelo Armenta, under the supervision of Respondent, Gilford Securities, Inc., abrogated his fiduciary duty when he advised the Claimant to short Wells Fargo stock. The Claimant also alleged that although he suggested to Respondent, Angelo Armenta, that stop loss and limit orders be placed on the stocks, Mr. Armenta discouraged him, causing a loss in his account.

Respondents, Gilford Securities, Inc. through its representative, Thomas H. Ryan, and Angelo Armenta, who appeared Pro Se, maintained that the Claimant is an experienced investor who understood and was agreeable to the idea of shorting stock as well as the accompanying risk. Respondents also maintained that Mr. Kieseewetter was kept informed on a regular basis as to the status of his account by Mr. Armenta and that the Claimant profited from several transactions. Respondents, contended they are not liable for any losses suffered by the Claimant. Mr. Armenta maintained that he had managed the Claimant's account in the same manner for the last three years, and that stop loss orders were never used or mentioned by Mr. Kieseewetter during that period.

RELIEF REQUESTED

Claimant, Charles V. Kieseewetter requested \$7,063.00 in actual damages, plus any additional damages not exceeding \$10,000.00

Respondent, Gilford Securities, Inc. requested the claims of the Claimant be dismissed.

Respondent, Angelo Armenta requested the claims of the Claimant be dismissed.

AWARD

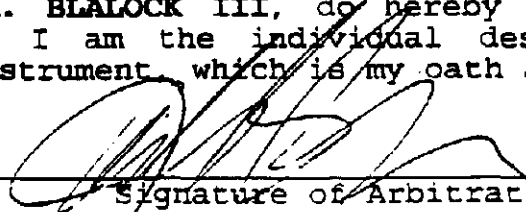
Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, James A. Blalock III, was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on August 26, 1991, by the Respondent, Gilford Securities, Inc. on September 19, 1991 and by Respondent, Angelo Armenta on September 25, 1992.

And, 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. The claims of the Claimant, Charles V. Kieseletter against Respondents, Gilford Securities, Inc. and Angelo Armenta are dismissed in their entirety.
2. The parties shall bear their respective costs.
3. The \$150.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant shall be retained by the NASD, Inc.

AFFIRMATION

I, JAMES A. BLALOCK III, 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

DATE OF DECISION: August 18, 1992