

N.A.S.D. ORDER

NATIONAL ASSOCIATION OF SECURITIES DEALERS

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In the Matter of the Arbitration Between

Name of Claimant

John Bloomfield

vs.

Order  
#92-00077

Name of Respondents

Whale Securities Co., Inc.  
George J. Behling, Jr.

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For Claimant, John Bloomfield ("Claimant"), Joanne Rowland, Esq., located in New York, New York.

For Respondent, Whale Securities Co., Inc. ("Whale Securities"), David Wagner, Esq., from the law firm of Tenzer Greenblatt Fallon & Kaplan located in New York, New York.

For Respondent, George J. Behling, ("Behling"), Charles O'Rourke, Esq., located in Hempstead, New York.

For Respondent, First Albany Corporation, Brian Mumford, Esq. from the law firm of Harvey and Harvey, Harvey & Mumford, located in Albany, New York.

**ORDER**

Pursuant to Section 43(c) of the *Code of Arbitration Procedure*, below you will find the Panel's decision concerning the assessment of forum fees for the above-subject matter.

Hearing Dates/Sessions:	December 9, 1992	-	2 sessions
	December 10, 1992	-	2 sessions
	December 1, 1992	-	1 session

- Claimant's Non-refundable claim filing fee: \$200.00

Whale Securities, Co.'s Non-refundable cross claim filing fee: \$500.00

Hearing session fees: 5 sessions x \$750.00 per session = \$3,750.00

Total Fees: \$4,450.00

1. Claimant is assessed \$1,483.33 in forum fees. Claimant is also assessed \$375.00, half of the fee for postponement of the hearing that was scheduled for September 20, 1993. Claimant is further assessed \$7.50 for duplication of documents. Claimant deposited \$950.00 and owes a balance of \$915.83.
2. Respondent Behling is assessed \$1,483.33 in forum fees. Behling is also assessed a \$750.00 fee for the postponement of the hearings scheduled for January 21, 1993. Behling is further assessed \$180.00 for duplication of tapes. Respondent deposited \$750.00 and owes a balance of \$1,288.33.
3. Respondent Whale Securities is assessed \$1,483.33 in forum fees. Whale Securities is also assessed \$375.00, half of the fee for postponement of the hearing that was scheduled for September 20, 1993. Respondent is further assessed costs of duplication of tapes and documents in the amount of \$81.00. Respondent deposited \$1,250.00 and owes a balance of \$689.33.
4. Respondent First Albany is assessed \$750.00 for postponement of the hearing previously scheduled for November 4, 1992. This fee has been paid.

All fees shall be paid to the National Association of Securities Dealers, Inc.

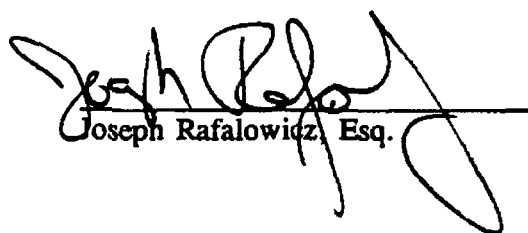
**ARBITRATION PANEL**

Joseph Rafalowicz, Esq.	-	Public Chairperson
Joan Caridi, Esq.	-	Industry Panelist
Roger M. Deitz, Esq.	-	Public Panelist

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Arbitrator's Signature

  
Joseph Rafalowicz Esq.

NASD DATE OF DECISION: August 19, 1994

STATE OF NEW YORK s.s.:  
COUNTY OF NEW YORK

On this 10<sup>TH</sup> day of August, 1994, before me personally appeared Joseph Rafalowicz to me to be the individual described in and who executed the foregoing instrument and be duly acknowledged to me that he executed the same.

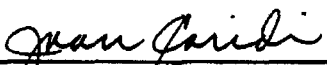
Josephine Nappi

JOSEPHINE NAPPI  
Notary Public, State of New York  
No. 41-4731635  
Qualified in Queens County  
Commission Expires Jan. 31, 1996

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Arbitrator's Signature

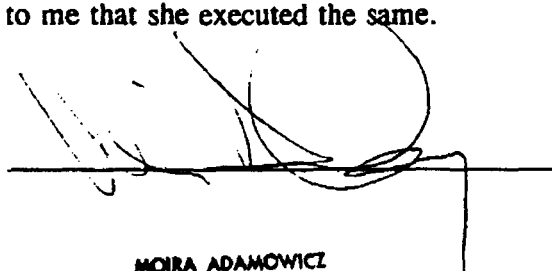
  
Joan Caridi, Esq.

NASD DATE OF DECISION: August 19, 1994

STATE OF  
COUNTY OF

S.S.:

On this 9 day of August, 1994, before me personally appeared Joan Caridi to me to be the individual described in and who executed the foregoing instrument and be duly acknowledged to me that she executed the same.

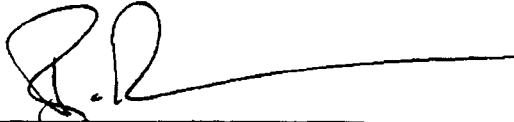
A handwritten signature in dark ink, appearing to read 'Joan Caridi', is written over a horizontal line. The signature is stylized with loops and a long horizontal stroke.

MOIRA ADAMOWICZ  
Notary Public, State of New York.  
No. 4768189  
Qualified in Westchester County  
Certificate filed in New York County  
Commission Expires 30, 1996

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Arbitrator's Signature

A handwritten signature in black ink, appearing to be 'R. Deitz', with a long horizontal line extending to the right.

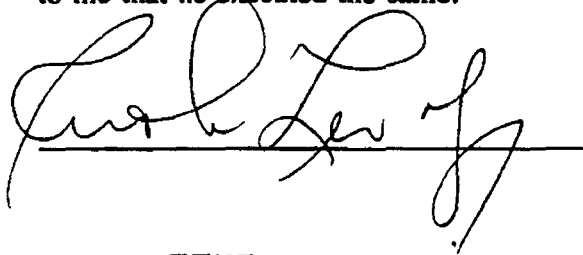
Roger M. Deitz, Esq.

NASD DATE OF DECISION: August 19, 1994

STATE OF  
COUNTY OF

S.S.:

On this 10<sup>th</sup> day of August, 1994, before me personally appeared Roger M. Deitz to me to be the individual described in and who executed the foregoing instrument and be duly acknowledged to me that he executed the same.



RUTH LEVovsky  
NOTARY PUBLIC, State of New York  
No. 41-480236  
Qualified in Queens County  
Commission Expires June 30, 1995