

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant(s)

Joshua Dwork

Case No. 92-00539

Name of Respondent(s)

Michael Ehrlich

**REPRESENTATION**

For Claimant, Joshua Dwork ("Dwork"): pro se.

For Respondent, Michael Ehrlich ("Ehrlich"): pro se-See Other Issues.

**CASE INFORMATION**

Statement of Claim filed: February 13, 1992. Claimant's Submission Agreement signed: February 5, 1992.

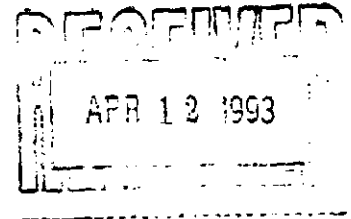
Respondent did not file a Statement of Answer or sign a Uniform Submission Agreement as required by Sections 12 and 25 of the Code, nor did he appear at the hearing.

**HEARING INFORMATION**

On March 5, 1993, in Fort Lauderdale, Florida, a hearing lasting one (1) session was conducted.

**CASE SUMMARY**

Claimant alleged that Respondent was fully aware that he had been brain damaged from an accident which occurred in 1984 and despite this knowledge Respondent took advantage of him by misrepresenting securities, executing trades without authorization and giving false information to Claimant with respect to his account.



**RELIEF REQUESTED**

Claimant requested damages in the amount of \$3,041.13.

**OTHER ISSUES CONSIDERED & DECIDED**

Respondent, Ehrlich, did not submit an executed Submission Agreement nor did he appear at the hearing. Based upon the evidence submitted in Arbitrator's Exhibit No 1 regarding hearing notices to the parties, this arbitrator found that proper notice existed as well as jurisdiction pursuant to Section 12(a) of the Code of Arbitration Procedure over Respondent. Pursuant to Section 29 of the Code of Arbitration Procedure and based upon evidence in Arbitrator's Exhibit No 1, this arbitrator proceeded with the hearing in his absence.

**AWARD**

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

Respondent, Ehrlich, is found liable, and shall pay to the Claimant the amount of \$3,042.13, plus interest at the legal rate of 12% per annum from August 1, 1990 to the date of this Award.

**OTHER COSTS**

The parties shall each bear all costs and expenses incurred by them in connection with this proceeding.

**FORUM FEES**

Pursuant to Section 43(c) of the Code of Arbitration Procedure, the Arbitrator has assessed forum fees in the amount of \$25.00 (one session x \$25.00 per session)

1. The NASD shall retain the non refundable filing fee of \$25.00 for the hearing session deposit previously deposited by Claimant in full satisfaction thereof.
2. The NASD shall retain the non-refundable filing fee of \$25.00 paid by the Claimant.

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3. Respondent shall reimburse the Claimant \$25.00 for the Hearing Session Deposit previously paid by Claimant.

Fees are payable to the National Association of Securities Dealers, Inc.

**ARBITRATOR**

**Concurring Arbitrator's Signature**



John J. Hearn, Esq.  
(Sole Public Arbitrator)

Date of Decision:

April 9, 1973