

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Vincenzo Mure

92-02134

Name of Respondents

GSG Global Securities Group, Inc.
Keith J. Buscemi

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on June 25, 1992, Claimant Vincenzo Mure, by and through his counsel Duane Totten, Esq. of McVane, Bellohuono, Kuzmak & Wiezalis, Hartford, CT, alleged that in the later part of September 1988, Respondent Keith J. Buscemi, an agent of Respondent GSG Global Securities Group, Inc., telephoned him indicating that he had some investments whereby Respondent Keith J. Buscemi said "do you want to make money?", at which time, he discussed Payphone System, Limited Partnership. Claimant further alleged that Respondent Keith J. Buscemi explained that Payphone Systems installed telephones, collected monies, paid the telephone company, paid the bills and the partnership received dividends, in addition Respondent Keith J. Buscemi stated that "some people make a living off of this, some have \$50,000.00 to \$70,000.00 invested.", at which time, Claimant requested Respondent Keith J. Buscemi send him the information on this investment. Claimant contended that sometime after his initial conversation with Respondent Keith J. Buscemi, he received some information on Payphone Systems Limited Partnership, including a booklet entitled Offeree Questionnaire. Claimant further contended that after he received the information, Respondent Keith J. Buscemi contacted him a second time on or about October 17, 1988, during this conversation, Respondent Keith J. Buscemi explained to Claimant how to fill out the booklet, page by page, at which time, Claimant federal expressed the booklet and check for \$10,000.00 at Respondent Keith J. Buscemi's instructions and Respondent Keith J. Buscemi later indicated that Claimant would receive the first dividend in about 3 or 4 months. Claimant asserted that he never received any dividends and contacted Respondent Keith J. Buscemi several times to inquire about the dividends, at which time, Respondent Keith J. Buscemi kept informing him that "next month he would start getting the dividends". Claimant further asserted that he

received a letter from the President of Payphone Systems dated June 23, 1989, indicating that the partnership had experienced problems. Claimant further alleged that sometime after he had made the investment in Payphone Systems, Respondent Keith J. Buscemi solicited him about another investment, International 800 Telecom Corp. whereby he purchased 500 shares for \$1,129.35 on November 7, 1988. Claimant argued that he has not received a financial report since approximately June, 1989 and has not received a progress report during this period. Claimant further argued that Respondents GSG Global Securities Group, Inc. and Keith J. Buscemi's inappropriate handling of his account, caused him to sustain losses.

Respondent GSG Global Securities Group, Inc. failed to file an Answer to the Statement of Claim.

Respondent Keith J. Buscemi failed to file an Answer to the Statement of Claim.

RELIEF REQUESTED

Claimant Vincenzo Mure requested \$10,000.00 in actual damages.

Respondent GSG Global Securities Group, Inc. failed to file an Answer to the Statement of Claim.

Respondent Keith J. Buscemi failed to file an Answer to the Statement of Claim.

OTHER ISSUES CONSIDERED & DECIDED

In accordance with Section 13 of the NASD Code of Arbitration Procedure the Respondents were served a copy of the Statement of Claim by regular mail on November 5, 1992 and given an opportunity to respond, which they failed to do. Respondent Keith J. Buscemi was notified, via certified mail, on February 12, 1993 that his Statement of Answer was overdue. The certified mail receipt was returned to the NASD labeled "unclaimed". This correspondence was re-sent regular mail and was not returned. Respondent Keith J. Buscemi was notified on March 10, 1993, via certified mail, of the selected arbitrator pursuant to Section 21 of the NASD Code of Arbitration Procedure. The signed certified mail receipt was returned to the NASD dated March 13, 1992, evidencing his receipt of this correspondence. Respondent Keith J. Buscemi failed to file an Answer to the Statement of Claim.

Respondent GSG Global Securities Group, Inc. failed to file an Answer to the Statement of Claim.

Pursuant to the By-Laws of the NASD the arbitrator determined that Respondents GSG Global Securities Group, Inc. and Keith J. Buscemi were required to submit to this arbitration proceeding and is, therefore, bound by the arbitrator's ruling and determination.

AWARD

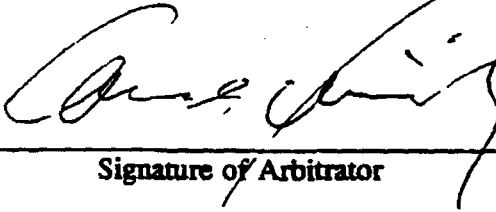
Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Arnold Linsky, was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on June 10, 1992 and not by the Respondents as required by Sections 12 & 13 of the NASD Code of Arbitration Procedure.

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. Respondent GSG Global Securities Group, Inc. is liable and shall pay to the Claimant Vincenzo Mure the sum of \$8,000.00 in damages.
2. Respondent Keith J. Buscemi is liable and shall pay to the Claimant Vincenzo Mure the sum of \$2,000.00 in damages.
3. Respondents GSG Global Securities Group, Inc. and Keith J. Buscemi are liable and shall pay simple interest at the rate of 7.5% per annum on their respective damages from November 30, 1992 to the date of payment of the award.
4. The parties shall bear their respective costs.
5. The \$150.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant Vincenzo Mure shall be retained by the NASD, Inc. Respondents GSG Global Securities Group, Inc. and Keith J. Buscemi are jointly and severally liable and shall pay to the Claimant the sum of \$150.00, as reimbursement.

AFFIRMATION

I, **ARNOLD LIMSKY**, 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

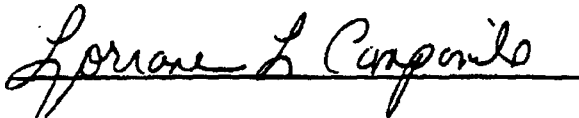
DATE OF DECISION: May 18, 1993

STATE OF:

ss:

COUNTY OF:

On this 10 day of May 1993, before me personally appeared Arnold Limsky to me known and known before me to be the individual described in and who executed the foregoing instrument and he duly acknowledged to me that he executed the same.



LORRAINE L. CAMPANILE
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires April 17, 1995