

N.A.S.D. STIPULATED AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

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In the Matter of the Arbitration Between

Name of Claimant

Gilford Securities

93-02614

Name of Respondent

Thomas G. Bauman

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**REPRESENTATION**

For Claimant Gilford Securities, Inc. appeared Michael Kalmus, Esq. of the law firm of Kalmus and Martuscello, New York City, NY.

Respondent Thomas Bauman appeared pro se.

**CASE INFORMATION**

The Statement of Claim was filed on July 6, 1993. Claimant's Submission Agreement was signed on July 1, 1993.

The Statement of Answer and Counterclaim of Respondent Bauman was filed on October 11, 1993. Respondent Bauman's Submission Agreement was signed on October 8, 1993.

The Amended Statement of Claim and Reply to the Counterclaim was filed on October 27, 1993.

**HEARING INFORMATION**

|                         |                  |   |              |
|-------------------------|------------------|---|--------------|
| Hearing Dates/Sessions: | August 16, 1994  | - | Two Sessions |
|                         | October 11, 1994 | - | One Session  |

The hearings were held at the National Association of Securities Dealers, Inc. offices located in New York City, New York.

### AWARD

At the hearing on October 11, 1994, the parties to this action settled the claims against Respondent Thomas Bauman and Respondent Bauman agreed to withdraw, with prejudice, all claims he asserted against Claimant in his Answer and Counterclaim. The parties requested the panel consent to the parties stipulating on the record the agreement which they requested the panel incorporate in a stipulated award.

Accordingly, the panel agreed to the following settlement in full and final resolution of the issues submitted for determination as follows:

1. Respondent Bauman be and hereby is liable and shall pay to the Claimant the sum of \$10,000.00 as payment on the promissory note.
2. Respondent Bauman be and hereby is liable and shall pay to the Claimant interest in the sum of \$916.00.
3. Respondent Bauman be and hereby is liable and shall pay to the Claimant \$7,723.00 representing payment on the outstanding draw deficit.
4. Respondent be and hereby is liable and shall pay to the Claimant the sum of \$630.69 representing an unsecured debit.
5. Respondent be and hereby is liable and shall pay to the Claimant the sum of \$1,100.00 representing filing fees previously deposited by Claimant with the NASD.
6. Respondent be and hereby is liable and shall pay to the NASD the sum of \$1,200.00 representing outstanding forum fees.

### FORUM FEES

Pursuant to Section 44c of the Code of Arbitration Procedure, the following Forum Fees are assessed:

3 sessions X \$600.00 = \$1,800 minus hearing session deposit of 600 = net \$1,200.00 due.

The NASD shall retain the \$500.00 filing fee and \$600.00 hearing session deposit paid by Claimant.

In accordance with the terms of the settlement stipulated to between the parties,

Respondent Bauman shall pay to the NASD outstanding forum fees of \$1,200.00 as reflected above in the award.

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

Concurring Arbitrators' Signatures

Name

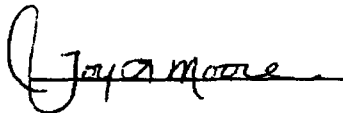
  
Gary F. Goldring  
Industry Arbitrator - Chairperson

\_\_\_\_\_  
Thomas Wagner  
Industry Arbitrator

\_\_\_\_\_  
Leon Goldsholl  
Industry Arbitrator

STATE OF *New York*  
COUNTY OF *New York*

On this 9 day of November, 1994, before me personally appeared Gary F. Goldring known to me to be the individual described in and who executed the foregoing instrument and duly acknowledged to me that he/she executed the same.



JOY L. MOORE  
Notary Public, State of New York  
No. 31-4410087  
Qualified in New York County  
Commission Expires Oct. 26, 1995

Executed on:

Date of Decision: xxxxxx 9-94

Date of Decision: December 8, 1994

Respondent Bauman shall pay to the NASD outstanding forum fees of \$1,200.00 as reflected above in the award.

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

Concurring Arbitrators' Signatures  
Name

Gary F. Goldring  
Industry Arbitrator - Chairperson

Thomas Wagner  
Industry Arbitrator

Leon Goldsholl  
Industry Arbitrator

STATE OF  
COUNTY OF

On this 9<sup>th</sup> day of November, 1994, before me personally appeared Leon Goldsholl known to me to be the individual described in and who executed the foregoing instrument and duly acknowledged to me that he/she executed the same.

Deborah A. DeJesus

DEBORAH A. DEJESUS  
Notary Public, State of New York  
No. 02DE5022979  
Qualified in New York County  
Commission Expires January 24, 1996

Date of Decision: December 8, 1994

|                 |            |                  |
|-----------------|------------|------------------|
| Premissory Note | \$10,000   |                  |
| Interest        | <u>916</u> |                  |
| P+I Note        |            | 10,916.00        |
| Draw Deficit    |            | 7,723.00         |
| Unsecured Debit |            | 630.69           |
| Filing Fees     |            | <u>1,100.00</u>  |
|                 |            | <u>20,369.69</u> |

All answers + motions by Bauman are withdrawn.

|                  |                      |
|------------------|----------------------|
| +1,200.00        | addl Fees<br>to NASD |
| <u>21,569.69</u> |                      |

The arbitrators all agree to this award

Gary Goldring  
~~Sh. E. [unclear]~~  
 Jerry Goldring

OCT. 11, 1994

Deborah Dejesus

DEBORAH A. DEJESUS  
 Notary Public, State of New York  
 No. 02DE5022979  
 Qualified in New York County  
 Commission Expires January 24, 1996

Date of Decision: December 8, 1994