

AMERICAN STOCK EXCHANGE
IN THE MATTER OF ARBITRATION BETWEEN

PAGE #1

CASE: PRD SECURITIES A LIMITED PARTNERSHIP, SKJ, INC.; ERWIN GUDELSKY &

STEPHEN WALLENSTEIN V. RICHARD DESIMONE & RICHARD DESIMONE V. SUTTON

PARTNERS AND STEPHEN WALLENSTEIN

Case Id # 93-09

DATE FILED: 11/1/90 FIRST SCHEDULED 12/3 & 12/4/92 DECIDED 6/9/93

CASE SUMMARY: * A member v. member arbitration involving a Limited Partnership Agreement dispute. In addition, Sutton Partners is claiming past due rental for Exchange membership from Desimone.

CLAIMANT'S INITIALS SW RESPONDENT'S RD THIRD PARTY'S INITIALS SP
SESSIONS: 1-9

CLAIM AND AWARD DATA:

CLAIM	<u>\$88,000.00</u>	CC/3rd PTY	<u>FILED</u>	AWARD	<u>See Attached</u>
PUNITIVE	<u>N/A</u>	PUNITIVE	<u>N/A</u>	PUNITIVE	<u></u>
ATTY FEES	<u>N/A</u>	ATTY FEES	<u>N/A</u>	ATTY FEES	<u></u>
DEPOSIT	<u>\$800.00</u>	DEPOSIT	<u></u>	DEPOSIT	<u></u>
COSTS	<u>see attached</u>	COSTS	<u></u>	COSTS	<u>see attached</u>

DECISION: The undersigned arbitrators have decided and determined in full and final settlement of all claims between the parties that:*

SEE PAGE #2 ATTACHED

ATTORNEY: STEPHEN F. WILLIG, ESQ. - D'AMATO & LYNCH - REPRESENTING CLAIMANTS (PRD, SKJ, GUDELSKY & WALLENSTEIN) REPRESENTING CLAIMANTS NYC.
MELVIN LECHNER - SUTTON PARTNERS REPRESENTING COUNTERCLAIMANT (SUTTON PARTNERS) NYC
RICHARD DESIMONE - PRO-SE REPRESENTING (RESPONDENT/SELF) NYC.

ARBITRATORS **

ARTHUR SOBEL, ESQ., CHAIRMAN

JOSEPH F. GENERELLI, ESQ.

A. L. CUSH

CITY NEW YORK STATE NEW YORK DATE: July 15, 1993

* Additional pages may be attached.
** (Dissents)

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(1) RRD Securities, SKJ, Inc., Erwin Gudelsky and Stephen Wallenstein v. Richard DeSimone & (2) Richard DeSimone v. Sutton Partners and Stephen Wallenstein

THAT the limited partnership RRD is awarded the sum of \$3,010 from the General Partner Richard DeSimone which should be deposited directly into RRD's capital account;

THAT the counterclaim of Sutton Partners is denied against Richard DeSimone but is imposed, instead, against RRD Securities in the amount of \$6,800;

THAT 100% of the capital in the RRD account (after the addition of the \$3,010 described above and the distribution of \$6,800 described above) be distributed equally between SKJ, Inc., Erwin Gudelsky and Stephen Wallenstein;

THAT all motions to dismiss are denied;

THAT all requests for attorney fees are denied;

THAT the costs of the arbitration, \$3900, shall be shared between the parties as follows. SKJ, Inc. owes \$650 directly to the American Stock Exchange. Erwin Gudelsky owes \$650 directly to the American Stock Exchange. Stephen Wallenstein owes \$650 directly to the American Stock Exchange. (Together SKJ, Erwin Gudelsky and Stephen Wallenstein owe \$1950 but have already paid \$400 as their initial filing fee and should deduct \$400 from the \$1950 owed and pay the difference directly to the American Stock Exchange.) Richard Desimone owes \$650 but has already paid \$400 as his initial filing fee and shall remit the balance of \$250 directly to the American Stock Exchange. Sutton Partners also owes \$650 but has already paid \$200 as its counterclaim fee and shall pay the balance of \$450 directly to the American Stock Exchange. RRD owes \$650 and shall remit said amount directly to the American Stock Exchange.

#93-09