

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

---

In the Matter of the Arbitration Between

Name of Claimant

Stephen Skurla, Jr.

95-00822

Name of Respondents

Robert J. Judge  
Glenn J. Bennett  
M. Rimson & Co., Inc.

---

**CASE SUMMARY**

In a claim filed with the National Association of Securities Dealers, Inc. on February 16, 1995 Claimant Stephen Skurla, Jr. ("Claimant"), who appeared Pro Se, alleged that he held account #16580839 with Respondent M. Rimson & Co., Inc. ("MRCI") and that it along with the account representative, Respondent Glenn J. Bennett ("Bennett"), and Respondent Robert Judge ("Judge"), mishandled his account when they failed to sell 3,480 shares of Starcom Entertainment International ("SEI") stock. Claimant further alleged that the Respondents refused to talk to him and that Bennett informed him that Judge and MRCI were running a fraudulent operation. Respondent contended that Respondents refused to take his phone calls in which he would have instructed the Respondents to sell the SEI stock, and as a result of the above, he has suffered a loss for which the Respondents should be held liable.

Respondents Robert J. Judge, Glenn J. Bennett, and M. Rimson & Co., Inc. failed to file a Statements of Answer to the Statement of Claim.

**RELIEF REQUESTED**

Claimant Stephen Skurla, Jr., requested \$8,850.00 in actual damages.

Respondents Robert J. Judge, Glenn J. Bennett and M. Rimson & Co., Inc., failed to file a Statement of Answer to the Statement of Claim.

**OTHER ISSUES CONSIDERED AND DECIDED**

In accordance with Section 13 of the NASD Code of Arbitration Procedure Respondent Robert Judge and Respondent M. Rimson & Co., Inc., were served with the Notice of Claim by regular mail and given an opportunity to respond, which they failed to do. Notification of the arbitrator's identity and an overdue answer notice were sent certified mail and the signature cards are on file at the NASD.

In accordance with Section 13 of the NASD Code of Arbitration Procedure Respondent Glenn Bennett, was served with the Notice of Claim, the notification of the arbitrator's identity, and an overdue answer notice by certified mail and the signature card is on file at the NASD.

Pursuant to the By-laws of the NASD, the arbitrator determined that Respondents Robert J. Judge, Glenn J. Bennett and M. Rimson & Co., Inc., have notice of the claim and were required to submit to this arbitration proceeding and are, therefore, bound by the arbitrator's ruling and determination.

#### AWARD

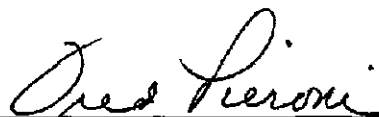
Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Fred S. Pieroni, was selected to review the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant Stephen Skurla, Jr., on January 30, 1995 and not by Respondents Robert J. Judge, Glen J. Bennett, and M. Rimson & Co., Inc., which is required by sections 12 and 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. The Respondents Robert J. Judge, Glen J. Bennett, and M. Rimson & Co., Inc., are jointly and severally liable and shall pay to the Claimant Stephen Skurla, Jr., \$9,000.00 in actual damages.
2. The Respondents Robert J. Judge, Glen J. Bennett, and M. Rimson & Co., Inc., are jointly and severally liable and shall pay to the Claimant Stephen Skurla, Jr., interest at the simple rate of 9% from February 1, 1994 to date of payment of the award.
3. The parties shall bear their respective costs.
4. The \$150.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant Stephen Skurla, Jr., shall be retained by the NASD, Inc. The Respondents Robert J. Judge, Glen J. Bennett, and M. Rimson & Co., Inc., are jointly and severally liable and shall pay to the Claimant Stephen Skurla, Jr., \$150.00 as reimbursement of the filing fee.

#### AFFIRMATION

I, **FRED PIERONI**, do hereby affirm, pursuant to Article 7507 of the Civil Procedure Law and Rules, that I am the individual described herein and who executed this instrument, which is my award.



Fred Pieroni

DATE OF DECISION: February 12, 1996