

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Paragon Capital Corporation

95-02027

Name of Respondent

Ralph J. Canino

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on April 27, 1995 Claimant Paragon Capital Corporation ("Claimant"), through its representative Compliance Director, Michele D. Wessel, alleged that Respondent Ralph J. Canino ("Respondent") was employed by it as a registered representative from October 24, 1994 to December 20, 1994 when he voluntarily left. Claimant further alleged that Respondent signed an New Registered Broker Agreement which requires that the dispute be resolved through NASD arbitration and that a dispute arose concerning monies owed it pursuant to a Promissory Note also signed by Respondent. Claimant contended that Respondent agreed to repay it for bonuses paid to him if he left prior to completing two years of employment. Claimant further contended that Respondent received bonuses and registration fees totaling \$2,555.50 and quit the job shortly after commencing it and, therefore, it has suffered a loss for which the Respondent should be held liable.

Respondent Ralph J. Canino failed to file a Statement of Answer to the Statement of Claim.

RELIEF REQUESTED

Claimant Paragon Capital Corporation requested \$2,555.50 in actual damages plus interest and filing fees.

Respondent Ralph J. Canino failed to file a Statement of Answer to the Statement of Claim.

OTHER ISSUES CONSIDERED AND DECIDED

Pursuant to Section 10 of the NASD Code of Arbitration Procedure, the Respondent Ralph J. Canino was sent the Statement of Claim, Overdue Answer Notice and Notice of the Identity of the arbitrator by regular mail and was given an opportunity to respond which he failed to do.

In accordance with the NASD by-laws the arbitrator determined that Respondent Ralph J. Canino has notice of the claim and was required to submit to this proceeding; and is, therefore, bound by the arbitrator's ruling and determination.

AWARD

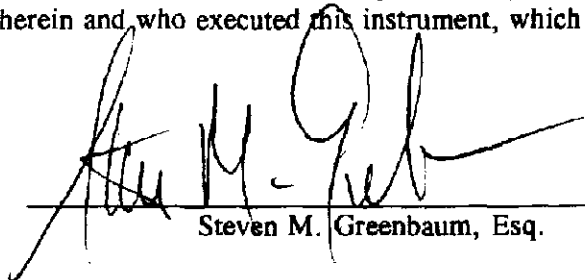
Pursuant to Section 10 of the NASD, Inc. Code of Arbitration Procedure, a single Industry Arbitrator, Steven M. Greenbaum, Esq., was selected to review the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on April 24, 1995, and not by the Respondent as is required by Sections 8 and 10 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 Respondent Ralph J. Canino is liable and shall pay to the Claimant Paragon Capital Corporation \$2,703.33 in actual damages.
2. The parties shall bear their respective costs.
3. The \$575.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant shall be retained by the NASD, Inc. The Respondent Ralph J. Canino is liable and shall pay to the Claimant Paragon Capital Corporation \$575.00 as reimbursement of the filing fee.
4. All other relief requests are denied.

AFFIRMATION

I, **STEVEN M. GREENBAUM, ESQ.**, 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.



Steven M. Greenbaum, Esq.

DATE OF DECISION: May 14, 1996