

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

---

In the Matter of the Arbitration Between

Name of Claimant

Dennis Eliassen

95-02135

Name of Respondent

John Puglisi

---

**CASE SUMMARY**

In a claim filed with the National Association of Securities Dealers, Inc. on May 3, 1995, Claimant Dennis Eliassen ("Claimant"), who appeared Pro Se, alleged that Respondent John Puglisi ("Respondent"), made an unauthorized purchase and sale of 500 shares Euroamerican Group ("EG") in his account at J.W. Bullard Company ("JWB"). Claimant further maintained that another 300 shares of EG were purchased and that 100 shares of Merck & Co. were sold again unauthorized. Claimant contended that he contacted Al Dini, Jim Bullard and Ed Delaney, at JWB who told him to contact Respondent because there was nothing they could for him. Claimant further contended that he contacted Puglisi who blamed JWB for the trades. Claimant alleged that as a result of the above, he has suffered a loss for which the Respondent should be held liable.

Respondent John Puglisi, failed to file an Answer to the Statement of Claim.

**RELIEF REQUESTED**

Claimant Dennis Eliassen, requested \$3,535.00 in actual damages.

Respondent John Puglisi, failed to file an Answer to the Statement of Claim.

**OTHER ISSUES CONSIDERED AND DECIDED**

In accordance with Section 13 of the NASD Code of Arbitration Procedure, the Respondent John Puglisi, was served by regular mail and given an opportunity to respond, which he failed to do. In addition, an overdue answer notice was sent to the Respondent by certified mail and was received as evidenced by the signed return card on file at the NASD.

Pursuant to the By-laws of the NASD, the Arbitrator determined that Respondent John Puglisi, has notice of the claim, and was required to submit to this arbitration proceeding; and is, therefore, bound by the arbitrator's ruling and determination.

**AWARD**

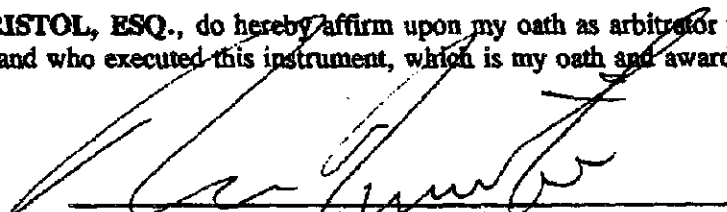
Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Norman Bristol, Esq., was selected to review the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant Dennis Eliassen, on April 25, 1995, and not by the Respondent John Puglisi, as 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 Respondent John Puglisi, is liable and shall pay to the Claimant Dennis Eliassen, \$3,535.00 in actual damages.
2. The Respondent John Puglisi, is liable and shall pay to the Claimant Dennis Eliassen, interest at the rate of 7% from May 11, 1995 to the date of payment of the Award.
3. The parties shall bear their respective costs.
4. All other relief requests are denied.
5. The \$125.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant Dennis Eliassen, shall be retained by the NASD, Inc. The Respondent John Puglisi, is liable and shall pay to the Claimant Dennis Eliassen, \$125.00 as reimbursement of the filing fee.

**AFFIRMATION**

I, NORMAN BRISTOL, 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.



Norman Bristol, Esq.

DATE OF DECISION: November 2, 1995