

**NASD REGULATION, INC.
OFFICE OF DISPUTE RESOLUTION
ARBITRATION AWARD**

NASD REGULATION, INC. OFFICE OF DISPUTE RESOLUTION

In the matter of the Arbitration Between

Name of Claimants

Prudential Securities, Inc.

NASD Regulation, Inc.
Office of Dispute Resolution
Arbitration No. 96-01050

Name of Respondents

Roger Sabbah

REPRESENTATION

For Claimant:

Steven P. Gomberg
Gomberg, Kane &
Fischer, LTD.
Chicago, Illinois

For Respondent:

In Pro Per

CASE INFORMATION

Statement of Claim filed:

On or about March 4, 1996

Claimant's Submission Agreement signed:

March 4, 1996

Statement of Answer filed by Respondent:

August 15, 1996

Respondent's Submission Agreement signed:

August 19, 1996

HEARING INFORMATION

Hearing Dates / Sessions:

February 24, 1997 (2 Sessions)

Hearing Location:

Los Angeles, California

CASE SUMMARY

Claimant alleged that Respondent defaulted on a promissory note for transitional compensation that was part of the "Employment Agreement" between the two parties.

Respondent denied the Claimant's allegations in their entirety.

RELIEF REQUESTED

Claimant requested compensatory damages of \$119,690.79 plus 6% interest from the date of the default, costs, attorney fees, and expenses.

Respondents requested the dismissal of the Claimant's Statement of Claim.

OTHER ISSUES CONSIDERED AND DECIDED

The parties have agreed that the Award in this matter may be executed in either counterpart copies or that a handwritten, signed award may be entered. In either case, the parties have agreed to receive conformed copies of the Award while the original remains on file with the NASD Regulation, Inc. Office of Dispute Resolution.

AWARD

After considering the pleadings, the testimony and the evidence presented at the hearing, the undersigned arbitrators have decided in full and final resolution of the issues submitted for determination as follows:

Respondent Roger Sabbah is liable to and shall pay Claimant compensatory damages in the amount of \$120,167.50, interest to date at 6% per annum in the amount of \$10,054.56, attorney's fees in the amount of \$7,032.10 and costs in the amount of \$1,100.00 for a total amount of \$138,354.16.

FORUM FEES

Pursuant to Section 43(c) of the Code of Arbitration Procedure, the following forum fees are assessed:

<u>Two (2) Hearing Sessions @ \$750.00/Session</u>	<u>= \$1,500.00</u>
Total Forum Fees Assessed	= \$1,500.00

Claimant's One-Half Share	= \$750.00
<u>Claimant's Credit for Hearing Session Deposit</u>	<u>= \$750.00</u>
Claimant's Balance Due	= \$0.00

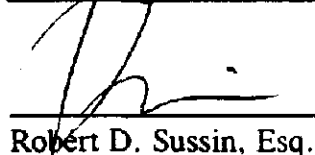
<u>Respondent's One-Half Share</u>	<u>= \$750.00</u>
Respondent's Balance Due	= \$750.00

Fees are payable to NASD Regulation, Inc.

ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
Robert D. Sussin, Esq.	Industry
Richard B. Chess, Sr.	Public
Ronald K. Witter	Industry

Concurring Arbitrators' Signatures



Robert D. Sussin, Esq.

Richard B. Chess, Sr.

Ronald K. Witter

Date of Decision: February 24, 1997

Date of Service: _____

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<u>Claimant's Balance Due</u>	= \$0.00
<u>Respondent's One-Half Share</u>	= \$750.00
<u>Respondent's Balance Due</u>	= \$750.00

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Richard B. Chess, Sr.	Public
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Robert D. Sussin, Esq.



Richard B. Chess, Sr. JR.

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<u>Respondent's One-Half Share</u>	= \$750.00
<u>Respondent's Balance Due</u>	= \$750.00

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<u>Name</u>	<u>Public / Industry</u>
Robert D. Sussin, Esq.	Industry
Richard B. Chess, Sr.	Public
Ronald K. Witter	Industry

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Robert D. Sussin, Esq.

Richard B. Chess, Sr.



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