

AWARD

NASD Regulation, Inc.

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In the Matter of the Arbitration Between

Name of Claimant

John Rosso

96-03827

Name of Respondents

Mark Blonder, James Cassidy, and William Cutrone

---

REPRESENTATION

For Claimant John Rosso ("Claimant") appeared David Zimmer, Attorney at Law, Greenwich, CT.

Respondent Mark Blonder ("Blonder") did not respond or attend the hearing and was unrepresented. Respondent James Cassidy ("Cassidy") did not respond or attend the hearing and was unrepresented. Respondent William Cutrone ("Cutrone") did not attend but represented himself at the hearing via conferencing telephone.

CASE INFORMATION

Statement of Claim filed: August 26, 1996.

Claimant's Uniform Submission Agreement was executed by Claimant on August 17, 1996.

Joint Statement of Answer filed by Blonder and Cutrone on May 5, 1997.

Blonder's Uniform Submission Agreement was executed by him on April 9, 1997.

Cutrone's Uniform Submission Agreement was executed by him on April 9, 1997.

Cassidy neither filed a Uniform Submission Agreement nor did he file a Statement of Answer.

### HEARING INFORMATION

Hearing Date: December 10, 1998 - two session

Hearing Location: Washington Monarch Hotel, Washington, D.C.

### CASE SUMMARY

Claimant opened an account with Investor Associates, Inc. ("Investors Associates") under the direction of Blonder, Cassidy, and Cutrone, (collectively referred to as "Respondents") among others. Claimant alleged, among other things, that Respondents subjected his account to unauthorized and excessive purchases that were unsuitable for his account. Claimant alleged that he was sold securities that Investor Associates made a market in or acted as principal. Claimant alleged that on several occasions he attempted to put a halt to the unauthorized and excessive trading practices, but that Respondents continued to make unauthorized trades. Claimant also alleged fraudulent nondisclosure, negligent misrepresentation, breached of fiduciary duty, and failure to supervise.

Respondents Blonder and Cutrone denied all allegations of wrongdoing asserted by Claimant. Blonder and Cutrone maintained that all transactions were carried out in accordance with all applicable rules, regulations, industry standards, and practices. Blonder and Cutrone specifically denied that either of them made unauthorized purchases of securities on behalf of Claimant, purchased unsuitable securities on behalf Claimant, made material misrepresentations to Claimant or caused any damages to Claimant.

Respondent Cassidy did not file answer.

### RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$250,000; punitive damages in the amount of \$250,000; plus attorneys' fees, interest, costs, disbursement and a reasonable rate of return.

Blonder and Cutrone requested that Claimant's claim be dismissed in its entirety and that the panel award them their costs and expenses.

### OTHER ISSUES CONSIDERED & DECIDED

The panel decided that Cutrone could participate in the hearing via a conference telephone and

was not required to attend the hearing in person. As the conference telephone could accommodate only one party at a time, Claimant's counsel was not able to participate during the hearing and Claimant represented himself at the hearing.

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered. In either case, the parties in attendance have agreed to receive conformed copies of the Award while the originals remain on file with NASD Regulation, Inc. ("NASD Regulation").

Upon review of the file and the representations made on behalf of the Claimant, the undersigned arbitrators have determined that Cassidy was properly served with the Statement of Claim pursuant to Rule 10302 and Rule 10314 of the NASD Code of Arbitration Procedure (the "Code"). Attached as Exhibit A to this Award are letters reflecting service of the claim and notice that the case will proceed without Cassidy's answer.

The undersigned arbitrators have also determined that Cassidy and Blonder have received due notice of the hearing as required under Rule 10315 of the Code and that arbitration of the matter would proceed pursuant to Rule 10318 of the Code. Although Cassidy did not file with the NASD Regulation a properly executed submission and although neither Cassidy nor Blonder attended the hearing, the panel found that Cassidy was required to submit to arbitration pursuant to Rule 10301 of the NASD Code of Arbitration Procedure (the "Code") and that both Blonder and Cassidy had notice of the hearing (See Exhibit B attached). Consequently, the panel determined that Cassidy and Blonder are bound by the rulings and determinations of the panel on all issues submitted.

After the close of the hearing, Claimant filed a motion to reinstate claims against Respondents Richard Preisig and Investors Associates. The panel has ruled and determined that Richard Preisig and Investors Associates will not be reinstated in this case and that Claimant is free to seek its appropriate remedies against Preisig and Investors Associates.

#### AWARD

After considering the pleadings, the testimony and the evidence presented at the hearing and Claimant's post hearing motion to reinstate, the undersigned arbitrators have decided in full and final resolution of the issues submitted for determination as follows:

1. Mark Blonder is liable to Claimant John Rosso and shall pay John Rosso the sum of \$20,000; no pre judgement interest is awarded on this amount.

2. Claimant's claim against William M. Cutrone and James Cassidy is denied in its entirety.
3. That Claimant's claim for punitive damages is denied.
4. That the parties shall bear their respective costs, including attorneys' fees, except as Other Costs and Forum Fees are specifically addressed below.
5. All other claims for relief not specifically addressed are denied in their entirety.

#### OTHER COSTS

Pursuant to Rule 10333 of the Code of Arbitration Procedure ("Code"), Investors Associates, Inc. was assessed a member surcharge fee of \$350.00 that it paid. Blonder was assessed a charge of \$10.75 for duplicating costs which is due and payable to NASD Regulation Inc. Cutrone was assessed a charge of \$10.75 for duplicating costs, which he paid. Cutrone is assessed administrative costs of \$50 for the costs associated with participating at the hearing by conference telephone. Cutrone is assessed a postponement fee of \$750 for the postponement of the October 30 and 31, 1997 hearing dates. The postponement fee remains due and owing.

#### FORUM FEES

Pursuant to Rule 10332(c) of the Code, the following Forum Fees are assessed.

2 hearing sessions x \$750 = \$1,500

The panel determined that each party shall be assessed 25% of the forum fees for an amount of \$375 each. Claimant is assessed forum fees in the amount of \$375; however, Claimant is entitled to offset this fee with his hearing session deposit of \$750 so that Claimant is entitled to a refund of \$375. Blonder is assessed forum fees in the amount of \$375. Cutrone is assessed fees in the amount of \$375. Cassidy is assessed forum fees in the amount of \$375.

Fees are payable to the NASD Regulation, Inc. Office of Dispute Resolution

Rosso Award  
Case No. 96-03827  
Page 5

DATE SIGNED

CONCURRING ARBITRATORS' SIGNATURE

Feb. 4, 1999

Michael Fischetti  
Michael Fischetti, Chairperson  
Public Arbitrator

\_\_\_\_\_

\_\_\_\_\_  
Marshall Passman, Panelist  
Public Arbitrator

\_\_\_\_\_

\_\_\_\_\_  
Bonnie K. Wachtel, Panelist  
Industry Arbitrator

Date Award Served by NASD Regulation: February 8, 1999

Rosso Award  
Case No. 96-03827  
Page 5


DATE SIGNED

CONCURRING ARBITRATORS' SIGNATURE

\_\_\_\_\_

\_\_\_\_\_  
Michael Fischetti, Chairperson  
Public Arbitrator

2-4/99

  
Marshall Passman, Panelist  
Public Arbitrator

\_\_\_\_\_

\_\_\_\_\_  
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Date Award Served by NASD Regulation: February 8, 1999

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Page 5

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\_\_\_\_\_  
Michael Fischetti, Chairperson  
Public Arbitrator

\_\_\_\_\_

\_\_\_\_\_  
Marshall Passman, Panelist  
Public Arbitrator

2/10/99

Bonnie K. Wachtel  
Bonnie K. Wachtel, Panelist  
Industry Arbitrator

Date Award Served by NASD Regulation:

February 8, 1999



## Arbitration & Mediation

Exhibit A<sub>1</sub>

National Association of Securities Dealers, Inc. • NASD Financial Center • 33 Whitehall Street • New York, NY 10004 • Fax 212-858-4429  
Washington DC Satellite office at: 1735 K Street, NW • Washington, DC 20006 • Fax 202-728-6952

September 3, 1996

FILE COPY

Subject: NASD Case Number 96-03827  
John Rosso vs. Edward Becker, Mark Blonder, James Cassidy, William Cutrone, Torin Greenspan, Richard Preisig, et al.

Dear :

The NASD provides a forum for the resolution of disputes involving public investors and broker-dealers. This Arbitration office administers that forum, according to the procedures set forth in the NASD Code of Arbitration Procedure ("Code").

Enclosed is a Submission Agreement and a copy of the Code. Since you were named as a party in this arbitration, the Statement of Claim is being sent to you. You are required by the rules of the NASD to arbitrate this dispute.

Your Statement of Answer must specify all available defenses and all the relevant facts that you will rely upon at the hearing. (See Section 25(b) of the Code.) In addition, your Answer may include any related claim(s) that you may have against the Claimant or any other party subject to arbitration under the Code.

Pursuant to Section 25(b) of the Code, you are required, no later than October 8, 1996, (which is twenty business days from your receipt of this Claim), to send to the Claimant and all other parties, an executed Submission Agreement and your Answer. Claimant or claimant's counsel's address is provided at the end of this service letter.

The Code also requires that you send to the Director of Arbitration: (a) the original and one copy of the Submission Agreement, properly executed by you before a qualified notary public; (b) four copies of your Answer and (c) four copies of any document(s) referred to in your Answer. When sending copies of your Answer to the Director of Arbitration, please indicate that you have served your Answer on all parties.

Remember, if your Answer is not served upon all parties, a motion to preclude your Answer may be made pursuant to Section 25(b)(2) of the Code. In addition, failure to provide the NASD with copies of your Answer as described above will preclude it from inclusion in the package of pleadings provided to the arbitrator(s) for their use.

The ANTICIPATED hearing location of this case is: Washington, D.C..

If an arbitration involves a public customer, the NASD will generally select a hearing location closest to the customer's residence at the time the dispute arose.

In disputes between member firms and associated persons, the NASD will select the hearing location that is closest to the location where the associated person was employed at the time the dispute arose.



In industry disputes involving only member firms, unless the member firms are in the same locale or the parties agree to specific hearing location, the NASD will consider the following factors when deciding the hearing location:

- What party initiated the transactional issue;
- Location of witnesses and documents;
- The relative hardship for travel of a party to a specific location.

This preliminary decision by the Arbitration Director (Director) made pursuant to the authority contained in Section 26 of NASD Code of Arbitration Procedure ("Code"). The Director will make a final decision on initial hearing location when this case is made "ready" for disposition to the arbitrator(s). In addition, Section 26 of the Code authorizes the presiding arbitrator(s) to determine the time of all subsequent hearing(s).

If the anticipated initial hearing location listed above is **UNKNOWN**, the NASD is requesting recommendations from all parties for the hearing location based on the above applicable guidelines.

If after reading the enclosed "Guidelines for the Service of Pleadings" and the Code, you still have questions regarding NASD arbitration, please contact me. When contacting me, please refer to the number assigned to this case which is 96-03827.

Pursuant to Article IV, Section 2(c) of the NASD By-Laws, if you are a Registered Representative filed with the NASD, you are required to keep current your application for registration. You are therefore, advised to review the Form U-4 to determine if disclosure of this matter is required. If so, your failure to update your registration record could result in the filing of a formal complaint based on omission. Any questions regarding this disclosure requirement should be directed to the NASD Member Services Phone Center (301) 590-6500.

Very truly yours,

Cynthia A. Bland  
Legal Assistant  
NY/212-858-4300

CAB:JMB:LC39E  
lr:8/96  
CC:

David H. Zimmer, Esq., John Rosso

RECIPIENTS:

Bridget Montalvo, Investors Associates, Inc  
Edward David Becker  
Mark Blonder  
James Cassidy  
William Michael Cutrone  
Torin Greenspan  
Richard Preisig

**NASD** Arbitration & Mediation

Exhibit A<sub>2</sub>

National Association of Securities Dealers, Inc. • NASD Financial Center • 33 Whitehall Street • New York, NY 10004 • Fax 212-858-4429  
Washington DC Satellite office at: 1735 K Street, NW • Washington, DC 20006 • Fax 202-728-6952

February 5, 1997

**CERTIFIED MAIL**

FILE COPY

Subject: NASD Arbitration Number 96-03827  
John Rosso vs. Edward Becker, Mark Blonder, James Cassidy, William Cutrone, Torin Greenspan, Richard Preisig, et al.

Dear :

The NASD Arbitration Department has not received a copy of your Statement of Answer in the above captioned case as required by Section 25(b) of the NASD Code of Arbitration Procedure. This case will continue to be processed with or without your Statement of Answer. You should be aware that, notwithstanding your failure to answer, an Award may, in the arbitrators' discretion, be rendered against you.

If you require a second copy of the Statement of Claim previously served on you or if you have any questions concerning this matter, please contact Cynthia A. Bland.

Very truly yours,

Cynthia A. Bland  
Legal Assistant  
NY/212-858-4200

CAB:DAN:LC28A  
lr:6/96

CC:

David H. Zimmer, Esq., John Rosso  
9210 Fox Meadow Lane, Potomac, MD 20854-4618

RECIPIENTS:

James Cassidy  
c/o Continental Broker Dealer Corp., One Old Country Road, Carle Place,  
NY 11514

**NASD** Arbitration & MediationExhibit A<sub>2</sub>

National Association of Securities Dealers, Inc. • NASD Financial Center • 33 Whitehall Street • New York, NY 10004 • Fax 212-858-4429  
Washington DC Satellite office at: 1735 K Street, NW • Washington, DC 20006 • Fax 202-728-6952

February 5, 1997

**CERTIFIED MAIL**

FILE COPY

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John Rosso vs. Edward Becker, Mark Blonder, James Cassidy, William Cutrone, Torin Greenspan, Richard Preisig, et al.

Dear :

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... to be processed with or without your Statement of Ans

<b>SENDER:</b> • Complete Items 1 and/or 2 for additional services. • Complete Items 3, 4a, and 4b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: <i>James Cassidy</i>		4a. Article Number <i>P405718 521</i>	
4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD		7. Date of Delivery <i>2/10/97</i>	
5. Received By: (Print Name) <i>X U. Rosso</i>		8. Addressee's Address (Only if requested and fee is paid)	
6. Signature: (Addressee or Agent) <i>X U. Rosso</i>			

PS Form 3811, December 1994 Domestic Return Receipt

9210 Fox Meadow Lane, Potomac, MD 20854-4618

Thank you for using Return Receipt Service.

Postage & Fees		\$
Insurance		\$
Restricted Delivery Fee		
Return Receipt Showing to Whom & Date Delivered		
Return Receipt Showing to Whom & Addressee's Address		
Signature		
Date		

*2/5/97*

**RECIPIENTS:**

James Cassidy  
c/o Continental Broker Dealer Corp., One Old Country Road, Carle Place,  
NY 11514

# NASD Arbitration & Mediation

Exhibit A<sub>2</sub>

National Association of Securities Dealers, Inc. • NASD Financial Center • 33 Whitehall Street • New York, NY 10004 • Fax 212-858-4429  
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February 5, 1997

## CERTIFIED MAIL

FILE COPY

Subject: NASD Arbitration Number 96-03827  
John Rosso vs. Edward Becker, Mark Blonder, James Cassidy, William Cutrone, Torin Greenspan, Richard Preisig, et al.

Dear :

P 405 718 521

US Postal Service  
Receipt for Certified Mail  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

ED STATES POSTAL SERVICE

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

Sent to	
Cassidy	
Street & Number	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
2/5/97	

• Print your name, address, and ZIP Code in this box •

N.A.S.D. INC  
ARBITRATION DEPT 8th FL  
33 WHITEHALL S  
NEW YORK, NEW YORK 10004

PS Form 3800, April 1995

David H. Zimmer, Esq., John Rosso  
9210 Fox Meadow Lane, Potomac, MD 20854-4618

## RECIPIENTS:

James Cassidy  
c/o Continental Broker Dealer Corp., One Old Country Road, Carle Place,  
NY 11514

## **NASD** Arbitration & Mediation

National Association of Securities Dealers, Inc. • 125 Broad Street • 36th Floor • New York, NY 10004 • Fax 212-858-4429  
Washington DC Satellite office at: 1735 K Street, NW • Washington, DC 20006 • Fax 202-728-6952

Exhibit B-1

March 18, 1997

FILE COPY

Subject: NASD Arbitration Number 96-03827  
John Rosso vs. Mark Blonder, James Cassidy, William Cutrone, Richard Preisig and  
Investors Associates, Inc.

Dear :

Enclosed is an advance sheet setting forth the date, time and location of the upcoming arbitration hearing. This advance sheet identifies the participants in this proceeding and contains the names and affiliations of the arbitrators. Also enclosed is biographical information about the arbitrator(s). The appointment of the arbitrator(s) and the setting of the time, date and location of the hearing have been made in accordance with the NASD Code of Arbitration Procedure. A document explaining the procedure to be followed at the hearing is also enclosed. Also enclosed is a self-mailing evaluation form which we request that you use to evaluate the process. Please complete it, staple it and place it in the mail at the conclusion of the proceeding.

The parties and counsel are cautioned that no communication with the arbitrators pertaining to this proceeding is permitted except through the Arbitration Department.

If any party, counsel or representative believes that an arbitrator should be disqualified for any cause, please contact me immediately at DC/202-728-8958.

The parties or their counsel should prepare their materials before the hearing and prearrange their presentation to assure the availability of witnesses and evidence to avoid unnecessary delays during the hearing. Any questions concerning subpoenas or orders of production should be directed to me immediately.

All postponement requests are decided by the arbitrators. Even consensual requests for postponement must be submitted to the panel for decision. If you make a postponement request, do not release your witnesses until you are advised of the panel's decision. All postponement requests must be in writing and must set forth a specific emergency or court conflict. In the event of a court conflict, you must provide an Affidavit of Engagement, which includes: case name, docket number, presiding judge and court clerk's telephone number.

All postponement requests must also contain a list of at least four alternative hearing dates agreed to by all parties. The party requesting the postponement should contact the other parties or their representatives to determine at least four alternative dates when all parties and their witnesses will be available. If the arbitrators grant the postponement, they will attempt to use one of the agreed dates to reschedule the hearing.

All postponement requests must be accompanied by a check for the appropriate amount pursuant

to Section 30(b) of the Code of Arbitration Procedure. If the request is denied, the fee will be returned. If the request is granted, the arbitrator(s) may assess the postponement fee in the final decision.

If you intend to present any documents as exhibits at the hearing, you should bring sufficient copies for the arbitrators as well as a copy for the NASD staff person and for each opposing party. To expedite the hearing, the parties should stipulate to the admission of exhibits prior to the hearing. Arrange all exhibits in numerical order, organize them for quick and efficient retrieval and compile a list that identifies each exhibit. We urge the parties to reduce the number of exhibits presented during the hearing by eliminating duplicate documents. Your compliance with these requests will minimize delay during the hearing. In addition, please refer to Section 32(c) of the Code concerning the required Pre-Hearing Exchange of Documents and Witness List. Parties should not send copies to the NASD of the documents exchanged pursuant to section 32(c).

Documentary Evidence or Hearing briefs will not be forwarded to the arbitrator(s) absent agreement of the parties and prior approval of the panel.

Any Claims, Answers, Counterclaims, Cross-Claims, and/or Third Party Claims previously submitted by a party have been forwarded to the panel and will be marked at the hearing as Arbitrators' Exhibit 1. Any attachments to those pleadings will be considered part of the Arbitrator(s)' Exhibit 1 and should not be offered as additional exhibits at the hearing. Attached is a list of the documents which will be included in Arbitrator(s)' Exhibit 1.

At the hearing, parties and/or counsel will be permitted to make an opening statement and present witnesses and proof in support of their position. Any party or witness testifying during the course of the proceeding shall be subject to examination by the other party, his counsel or representative. A closing statement will be permitted at the conclusion of the proceeding.

Any questions concerning this hearing should be promptly directed to the NASD Arbitration Department.

Very truly yours,

Shari L. Sturm, Esq.  
Senior Attorney  
DC/202-728-8958

SLS:LJ:LC19A  
Enclosures

RECIPIENTS:

Lawrence R. Gelber, Esq., Investors Associates, Inc  
Beigel Lasky Rifkind Fertik Gelber et al., 750 Lexington Avenue, Thirtieth Floor,  
New York, NY 10022

David H. Zimmer, Esq., John Rosso  
9210 Fox Meadow Lane, Potomac, MD 20854-4618

Mark Blonder  
Investors Associates Inc., 121 Broadhollow Road, Melville, NY 11747

James Cassidy

c/o Continental Broker Dealer Corp., One Old Country Road, Carle Place,  
NY 11514

William Michael Cutrone  
Investors Associates Inc., 121 Broadhollow Road, Melville, NY 11747

Richard Preisig  
Investors Associates Inc., 433 Hackensack Avenue, Hackensack, NJ 07601

# NASD Arbitration & Mediation

National Association of Securities Dealers, Inc. \* 125 Broad Street \* 36th Floor \* New York, NY 10004 \* Fax 212-858-4429  
Washington DC Satellite office at: 1735 K Street, NW \* Washington, DC 20006 \* Fax 202-728-6952

March 18, 1997

FILE COPY

Subject: NASD Arbitration Number 96-03827  
John Rosso vs. Mark Blonder, James Cassidy, William Cutrone, Richard Preisig and  
Investors Associates, Inc.

Dear :

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The parties and counsel are cautioned that no communication with the arbitrators pertaining to this proceeding is permitted except through the Arbitration Department.

## SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. ☐ Addressee's Address
- 2. ☐ Restricted Delivery

Consult postmaster for fee.

I should be disqualified for any cause

P 114 695 493

US Postal Service

## Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to Cassidy	
Street & Number	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 3/18	

Thank you for using Return Receipt Service.

PS Form 3800, April 1995

James Cassidy  
c/o Continental Broker  
One Old Country Road  
Carle Place, NY 11514

1a. Article Number

114 695 493

4b. Service Type

- ☐ Registered ☒ Certified
- ☐ Express Mail ☐ Insured
- ☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

3/20/97

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X [Signature]

PS Form 3811, December 1994

Domestic Return Receipt

arbitrators grant the postponement, they will attempt to use one hearing.

All postponement requests must be accompanied by a check for



# NASD Arbitration & Mediation

National Association of Securities Dealers, Inc. • 125 Broad Street • 36th Floor • New York, NY 10004 • Fax 212-858-4429  
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March 18, 1997

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Dear :

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

NATIONAL ASSOCIATION OF SECURITIES DEALERS  
ARBITRATION DEPARTMENT  
1735 K STREET, N.W.  
WASHINGTON, D.C. 20006

date, time and location of the upcoming arbitration hearing, in this proceeding and contains the names and affiliations of the arbitrator(s). The appointment time, date and location of the hearing have been made in accordance with the Arbitration Procedure. A document explaining the procedure to be followed is also enclosed is a self-mailing evaluation form which we request you to complete, staple it and place it in the mail.

## US Postal Service Receipt for Certified Mail

No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to	Cassidy	
Street & Number		
Post Office, State, & ZIP Code		
Postage	\$	
Certified Fee		
Special Delivery Fee		
Restricted Delivery Fee		
Return Receipt Showing to Whom & Date Delivered		
Return Receipt Showing to Whom, Date, & Addressee's Address		
TOTAL Postage & Fees	\$	
Postmark or Date	3/18	

PS Form 3800, April 1995

conflict. In the event of a court conflict, you must provide case name, docket number, presiding judge and court clerk's name.

a list of at least four alternative hearing dates agreed to by all parties or their representatives should be available. If the hearing cannot be held on any of the dates, the arbitrators will attempt to use one of the agreed dates to reschedule the hearing.

arbitrators grant the postponement, they will attempt to use one of the agreed dates to reschedule the hearing.

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# NASD Arbitration & Mediation

National Association of Securities Dealers, Inc. • 125 Broad Street • 36th Floor • New York, NY 10004 • Fax 212-858-4429  
Washington DC Satellite office at: 1735 K Street, NW • Washington, DC 20006 • Fax 202-728-6952

March 18, 1997

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P 114 695 492

US Postal Service

## Receipt for Certified Mail

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Do not use for International Mail (See reverse)

Sent to	
Blonder	
Street & Number	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
3/18	

PS Form 3800, April 1995

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<b>SENDER:</b> • Complete items 1 and/or 2 for additional services. • Complete items 3, 4a, and 4b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Mark Blonder Investors Associates I 121 Broadhollow Road Melville, NY 11747		4a. Article Number P114 695 492	
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		8. Addressee's Address (Only if requested and fee is paid)	

PS Form 3811, December 1994

Domestic Return Receipt

must set forth a specific emergency or court contact. In the event an Affidavit of Engagement, which includes: case name, docket number, telephone number.

All postponement requests must also contain a list of at least four alternative hearing dates agreed to by all parties. The party requesting the postponement should contact the other parties or their representatives to determine at least four alternative dates when all parties and their witnesses will be available. If the arbitrators grant the postponement, they will attempt to use one of the agreed dates to reschedule the hearing.

All postponement requests must be accompanied by a check for the appropriate amount pursuant

# NASD Arbitration & Mediation

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March 18, 1997

FILE COPY

Subject: NASD Arbitration Number 96-03827  
John Rosso vs. Mark Blonder, James Cassidy, William Cutrone, Richard Preisig and  
Investors Associates, Inc.

45

C/P

ROSSO

96-3827

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P 114 695 492

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PS Form 3800, April 1995

The party requesting the postponement should contact the other parties or their representatives to determine at least four alternative dates when all parties and their witnesses will be available. If the arbitrators grant the postponement, they will attempt to use one of the agreed dates to reschedule the hearing.

All postponement requests must be accompanied by a check for the appropriate amount pursuant



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Exhibit B-2

VIA FACSIMILE AND FIRST CLASS MAIL

December 4, 1998

FILE COPY

Subject: NASD Arbitration Number 96-03827  
John Rosso vs. Mark Blonder, James Cassidy and William Cutrone

Dear :

This letter is to confirm that the next hearing session in the above-captioned matter will be conducted on:

December 10, 1998 at 09:30 AM

at

Washington Monarch Hotel

2401 M Street, N.W.

Washington, DC 20037

202-429-2400

Additional hearing session(s) are scheduled on: December 11, 1998.

Your cooperation is appreciated,

Shari L. Sturm, Esq.  
Senior Attorney  
DC/202-728-8958

SLS:ANK:LC03A  
lr:1/98

CC:

Bonnie K. Wachtel, Esq.  
Marshall Passman  
Michael Fischetti

RECIPIENTS:

David H. Zimmer, Esq., John Rosso  
Attorney at Law, 2 Greenwich Plaza, Suite 100, Greenwich, CT 06830

Mark S. Blonder, Mark Blonder  
21 Frey Road, Farmingdale, NY 11735-2922

...ON Population, Inc.

... 717-256-4307

James Cassidy  
20 Harding Street, E. Northport, NY 11731

Arthur F. Dicker, Esq., William Michael Cutrone  
McCarter & English, Four Gateway Center, 100 Mulberry Street, Newark,  
NJ 07101-0652