

## AWARD

### NASD REGULATION, INC., OFFICE OF DISPUTE RESOLUTION

In the matter of the Arbitration Between

Name of Claimant

John Julian

v.

Arbitration No.

96-04005

Name of Respondents

Charles Trento and  
A.S. Goldmen & Company

---

### REPRESENTATION

For Claimant:

John Julian  
In Pro Per  
Palm Desert, California

For Respondents  
Charles Trento and  
A.S. Goldmen & Company:

Lewis S. Goldberg, Esq.  
Law Offices of  
Carole R. Bernstein, Esq.  
Norwalk, Connecticut

### CASE INFORMATION

Statement of Claim filed:	September 9, 1996
Claimant's Submission Agreement signed:	August 27, 1996
Statement of Answer filed by Respondents Charles Trento and A.S. Goldmen & Company	March 21, 1997

### **HEARING INFORMATION**

Pre Hearing Conference Dates / Sessions:                      March 10, 1997              (1 Session)  
   September 25, 1997      (1 Session)

Hearing Location:    Los Angeles, California

### **CASE SUMMARY**

Claimant alleged that Respondents engaged in fraudulent nondisclosure and negligent misrepresentation. Claimant also alleged that the Respondents had a fiduciary duty to the Claimant which they breached. Claimant further alleged that Respondent A.S. Goldmen & Company failed to adequately supervise their broker Respondent Charles Trento.

Respondent denied each and every allegation of wrongdoing set forth in the Claimant's Statement of Claim.

### **RELIEF REQUESTED**

Claimant requested actual, compensatory, restitutional and punitive damages not to exceed \$50,000.00 inclusive of attorney's fees, costs, prejudgment interest and further relief as may deemed appropriate.

Respondent requested that the Arbitration Panel dismiss the Claimant's claim in its entirety.

### **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 and having reviewed the written submissions of the parties, the Arbitration Panel has decided in full and final resolution of the issues submitted for determination as follows:

- 1) Claimant's Claim is Dismissed with Prejudice.
- 2) Claimant is liable for and shall pay all forum fees.

### FORUM FEES

Pursuant to Rule 10332 (c) of the Code of Arbitration Procedure, the following forum fees are assessed:

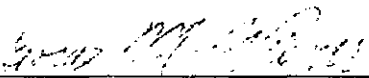
Two Pre-Hearing Conference Session @ \$500.00 / Session	= \$1000.00
<hr/>	
Total Fees Assessed Against Claimant	= \$1000.00

Fees are payable to NASD Regulation, Inc.

ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
George Wiener, Esq.	Public Arbitrator
Alan Shifman, Esq.	Industry Arbitrator
Ronald Cameron	Public Arbitrator

Concurring Arbitrators' Signatures

  
\_\_\_\_\_  
George Wiener, Esq.

\_\_\_\_\_  
Alan Shifman, Esq.

\_\_\_\_\_  
Ronald Cameron

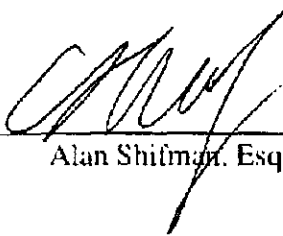
Date of Service: \_\_\_\_\_

ARBITRATORS

<u>Name</u> .....	<u>Public / Industry</u>
George Wiener, Esq.	Public Arbitrator
Alan Shifman, Esq.	Industry Arbitrator
Ronald Cameron	Public Arbitrator

Concurring Arbitrators' Signatures

\_\_\_\_\_  
George Wiener, Esq.

  
\_\_\_\_\_  
Alan Shifman, Esq.

\_\_\_\_\_  
Ronald Cameron

Date of Service: \_\_\_\_\_

ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
George Wiener, Esq.	Public Arbitrator
Alan Shifman, Esq.	Industry Arbitrator
Ronald Cameron	Public Arbitrator

Concurring Arbitrators' Signatures

\_\_\_\_\_  
George Wiener, Esq.

\_\_\_\_\_  
Alan Shifman, Esq.

  
\_\_\_\_\_  
Ronald Cameron

Date of Service: DECEMBER 17, 1997