

**N.A.S.D. REGULATION AWARD**

**NATIONAL ASSOCIATION OF SECURITIES DEALERS REGULATION, INC.**

CASE: 96-05367

Cheryl Monahan and Kevin Buttner, claimants vs. Dean Witter Reynolds, Inc., A.S. Goldmen & Company, Inc. and Thomas Kelly, respondents.

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**ATTORNEYS:**

Claimants appeared Pro Se - Massapequa, NY.

Respondent Dean Witter Reynolds, Inc. appeared Pro Se, through its Assistant Vice President, Linda Poole, San Francisco, CA.

For Respondent A.S. Goldmen & Co. Inc. appeared Carole R. Bernstein, Esq., Norwalk, CT.

For Respondent Thomas Kelly appeared Marc S. Gottlieb, Esq., of the law firm Beckman & Millman, P.C., New York, NY.

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**DATE FILED:** December 3, 1996

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**CASE SUMMARY:** Claimants alleged that respondent Thomas Kelly, broker at Dean Witter Reynolds, Inc. and later A.S. Goldmen & Co. Inc., forged their signatures, converted their cash account to a margin account, engaged in illegal trading and failed to execute a sell order for Acclaim Entertainment stock.

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**Claim Data**

Claim: \$9,784.71  
Punitive: \$.00  
Atty Fees: \$.00  
Filing Fees: \$.00  
Other: \$.00

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**Award Data**

Award: \$.00  
Punitive: \$.00  
Atty Fees: \$.00  
Filing Fees: \$.00  
Other: \$.00

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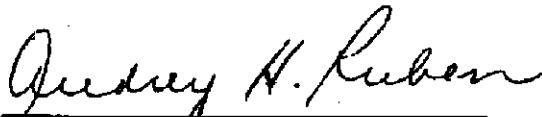
**AWARD:** The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The claims of claimants are dismissed in their entirety. 2) All other requests for relief are denied. 3) The \$150.00 filing fee previously deposited with the National Association of Securities Dealers Regulation, Inc. by claimants shall be retained by NASD Regulation, Inc.

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**OTHER ISSUES:** The arbitrator reviewed and considered respondent A.S. Goldmen & Co. Inc.'s Motion to Dismiss and respondent Thomas Kelly's Request for a hearing. The arbitrator denied the motion and request.

**AFFIRMATION**

I, Audrey H. Ruben, do hereby affirm, upon my oath as arbitrator that I am the individual described herein who executed this instrument, which is my oath and award.



Audrey H. Ruben

August 11, 1997

Date of award