

**Stipulated Award**  
**NASD Dispute Resolution, Inc.**

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In the Matter of the Arbitration Between

**Name of Claimants**

Esther Thielking and George Brown

Case No. 99-02115

**Name of Respondents**

PaineWebber, Inc.  
Richard Rothman  
Robert Taraska, Jr.

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**REPRESENTATION OF PARTIES**

Claimants Esther Thielking and George Brown ("Claimants") were represented by Steven M. Dranoff, Esq. of the law firm of Dranoff Perlstein Associates, Philadelphia, PA.

Respondents PaineWebber, Inc., Richard Rotman, and Robert Taraska (collectively referred to as "Respondents") were represented by Lisa A. Catalano, Esq. of the Law Offices of Joel E. Davidson, Park Ridge, NJ.

**CASE INFORMATION**

Statement of Claim filed on or about: May 4, 1999

Esther Thielking signed her Uniform Submission Agreement on: April 21, 1999

George Brown signed his Uniform Submission Agreement on: April 26, 1999

Joint Statement of Answer filed by Respondents on or about: August 16, 1999

Respondents signed their Uniform Submission Agreements on: August 16, 1999

This Stipulated Award was initially filed by the parties on June 12, 2000.

**CASE SUMMARY**

By the joint consent of the parties, Claimants hereby dismiss Respondents Richard Rotman and Robert Taraska from this proceeding with prejudice and request that this matter be expunged from their CRDs with the NASD. The parties hereby consent to the entry of an award to that effect which may be executed by the arbitration panel in counterpart.

### **RELIEF REQUESTED**

Claimants and Respondents hereby request an award dismissing Respondents Richard Rotman and Robert Taraska from this proceeding with prejudice and recommendation by the panel of expungement in this matter from their CRDs with the NASD.

### **OTHER ISSUES CONSIDERED AND DECIDED**

The parties have consented to execution of the award by the panel in counterpart.

No hearing on the merits took place in this case. The panel considered the parties request to execute their Stipulated Award and have granted the parties request.

### **AWARD**

After considering the stipulation of the parties to the entry of the following terms, the undersigned arbitrators have decided in full and final resolution of the issues submitted for determination as follows:

1. Respondents Richard Rotman and Robert Taraska are hereby dismissed from this proceeding with prejudice.
2. The panel recommends the expungement of all references to the above captioned arbitration from Respondents Richard Rotman and Robert Taraska's registration records maintained by the NASD Central Registration Depository ("CRD") with the understanding that pursuant to NASD Notice to Members 99-09, Respondents Richard Rotman and Robert Taraska must obtain confirmation from a court of competent jurisdiction before CRD will execute the expungement directive.
3. Any and all claims for relief not specifically stated herein are denied in their entirety.

### **FEES**

Pursuant to the Code, the following fees are assessed:

#### **Filing Fees**

NASD Dispute Resolution, Inc. will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee = \$ 175

#### **Member Fees**

Member fees are assessed to each member firm that is a party in these proceedings or to the

member firm that employed the associated persons at the time of the events giving rise to the dispute. In this matter, the member firm is a party.

Member surcharge	= \$ 800
Pre-hearing process fee	= \$ 600
Hearing process fee	= \$1,000

#### **Forum Fees and Assessments**

The Panel assesses forum fees for each hearing session conducted. A hearing session is any meeting between the parties and the arbitrators, including a pre-hearing conference with the arbitrator(s), that lasts four (4) hours or less. Fees associated with these proceedings are:

1 Pre-hearing session with Panel x \$600	= \$600
Pre-hearing conference: May 23, 2000	1 session
Total Forum Fees	= \$600

The Panel has assessed the forum fees referenced above as follows:

1. The panel has assessed \$200 of the forum fees to Claimants.
2. The panel has assessed \$200 of the forum fees jointly and severally to PaineWebber, Rotman and Taraska.

#### **Fee Summary**

Claimants are assessed the following fees:

Initial Filing Fee	= \$ 175
<u>Forum Fees</u>	= \$ 300
Total Fees	= \$ 475
<u>Less payments</u>	= \$ 750
Refund Due to Claimants	= \$ 275

PaineWebber is assessed the following fees:

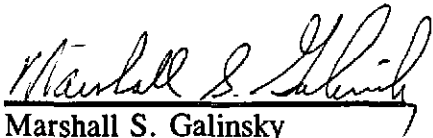
Member Fees	= \$2,400
Total Fees	= \$2,400
<u>Less payments</u>	= \$2,400
Balance Due NASD Dispute Resolution, Inc.	= \$ 00

Respondents PaineWebber, Rotman and Taraska are jointly and severally assessed the following fee:

<u>Forum Fee</u>	= \$ 300
Balance Due NASD Dispute Resolution, Inc.	= \$ 300

All balances are due and payable to NASD Dispute Resolution, Inc.

**Concurring Arbitrators' Signatures**



Marshall S. Galinsky  
Public Arbitrator, Presiding Chairperson

Dated: 11-7-00

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Robert L. Dennis  
Public Arbitrator, Panelist

Dated:

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John Michael Thompson  
Non-Public Arbitrator, Panelist

Dated:

November 27, 2000  
Date of Award Served by NASD Dispute Resolution, Inc.

**RECIPIENTS:**


Robert L. Dennis  
John Michael Thompson  
Marshall S. Galinsky, Esq.

Concurring Arbitrators' Signatures

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Marshall S. Galinsky  
Public Arbitrator, Presiding Chairperson

Dated:

  
Robert L. Dennis  
Public Arbitrator, Panelist

Dated: 11-8-2000

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John Michael Thompson  
Non-Public Arbitrator, Panelist

Dated:

November 27, 2000  
Date of Award Served by NASD Dispute Resolution, Inc.

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John Michael Thompson  
Marshall S. Galinsky, Esq.

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Dated:

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Robert L. Dennis  
Public Arbitrator, Panelist

Dated:

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*John M. Thompson*  
John Michael Thompson  
Non-Public Arbitrator, Panelist

Dated: 11/7/00

*November 27, 2000*  
Date of Award Served by NASD Dispute Resolution, Inc.

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Robert L. Dennis  
John Michael Thompson  
Marshall S. Galinsky, Esq.