

N.A.S.D. REGULATION AWARD
NATIONAL ASSOCIATION OF SECURITIES DEALERS REGULATION, INC.

CASE: 99-02182

Janine Klein, claimant vs. John Bruno and J.W. barclay & Company, Inc., respondents.

ATTORNEYS:

Claimant Janine Klein ("Claimant") appeared Pro Se., Pomona, New York.

For Respondents John Bruno ("Bruno") and J.W. Barclay & Company, Inc. ("J.W. Barclay") ("Respondents"), John Bruno, J.W. Barclay & Company, Inc., New York, New York.

DATE FILED: 5/12/1999

CASE SUMMARY: Claimant alleged that on January 5, 1998 she entered into an employment relationship with J.W. Barclay as a sales assistant. Claimant maintained that sales assistants were routinely paid 1% of the monthly commissions earned by the brokers for whom they worked. Claimant further alleged that it was company policy to pay sales assistants in this fashion. Claimant further maintained that she was not paid this commission for the period from March 1, 1999 through March 15, 1999 and has thereby been damaged.

Claim Data

Claim: \$1,000.00
Interest: unspecified
Punitive: unspecified
Atty Fees: unspecified
Filing Fees: \$50.00
Other: unspecified

Award Data

Award: \$1,000.00
Interest: \$67.50
Punitive: \$.00
Atty Fees: \$.00
Filing Fees: \$50.00
Other: \$.00

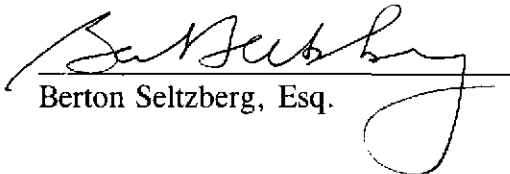
AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents are jointly and severally liable and shall pay to the claimant \$1,000.00. 2) Respondents are jointly and severally liable and shall pay to the claimant interest in the amount of \$67.50. 3) All requests for attorney fees are denied. 4) All requests for punitive damages are denied. 5) All other relief requests are denied. 6) The \$50.00 filing fee previously deposited with the National Association of Securities Dealers Regulation, Inc. by the claimant, shall be retained by NASD Regulation, Inc. 7) Respondents are jointly and severally liable and shall pay claimant \$50.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, respondent J.W. Barclay has paid to NASD Regulation, Inc. the \$150.00 Member Surcharge previously invoiced.

OTHER ISSUES: Claimant submitted a Motion to Compel production of her employee time cards which was denied by the arbitrator.

AFFIRMATION

I, Berton Seltzberg, do hereby affirm, pursuant to article 7507 of the Civil Practice law and Rules, that I am the individual described herein, and who executed this instrument which is my award.


Berton Seltzberg, Esq.

February 23, 2000

Date of Award