

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

CASE: 99-03241

Maurice Murad and Curtis Bargesser, claimants vs. Josephthal & Co., Inc. and John P. Lamoureux, respondents.

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**ATTORNEYS:**

Claimants Maurice Murad ("Murad") and Curtis Bargesser ("Bargesser"),  
(collectively, "Claimants"), appeared Pro Se., Fresno, California.

For Respondents Josephthal & Co., Inc. ("Josephthal") and John P. Lamoureux ("Lamoureux")  
(collectively, "Respondents"), John Bersin, Esq., Associate General Counsel, Josephthal & Co.,  
Inc., New York, New York.

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**DATE FILED:** 07/16/1999

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**CASE SUMMARY:** Claimants alleged that Respondents engaged in an investment strategy that was contrary to their investment objectives. Claimants maintained the Respondent Lamoureux refused to execute trades that were requested by Claimants and established a pattern of unauthorized trading in their account.

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**Claim Data**

Claim: \$22,960.00  
Filing Fees: \$.00

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**Award Data**

Award: \$.00  
Filing Fees: \$212.50

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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 the Claimant are dismissed in their entirety. 2) The \$425.00 filing fee previously deposited with the National Association of Securities Dealers Regulation, Inc. by the Claimant, shall be retained by NASD Regulation, Inc. 4) Respondents are jointly and severally liable and shall pay claimant \$212.50 as reimbursement for half of the filing fee.

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**OTHER FEES:** Pursuant to Rule 10333 of the Code, Respondent Josephthal & Co., Inc., has paid to NASD Regulation, Inc. the \$400.00 Member Surcharge previously invoiced.

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**Other Issues:** The arbitrator denied Respondents request to have this matter expunged from the CRD report of the Respondents.

The Arbitrator denied Respondents request for an order compelling the production of documents.

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AFFIRMATION

I, James D. Knotter, 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.

  
James D. Knotter, Esq

March 6, 2000

Date of award