

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 99-04196

Stanley M. Levin, Claimant vs. Michael DiFrancesca, Douglas Policino, George Malagon and Leland Swift, Respondents.

ATTORNEYS:

Claimant, Stanley M. Levin, ("Claimant"), appeared Pro Se., Falls Church, VA.

Respondent, Douglas Pollicino, ("Pollicino"), appeared Pro Se., East Norwich, NY.

Respondent, Leland Swift, ("Swift"), appeared through Dr. Jerome Stenehjem, San Diego, CA.

Respondent, George H. Malagon, Jr., ("Malagon"), did not respond to the Statement of Claim.

Respondent, Michael DiFrancesca, ("DiFrancesca"), did not respond to the Statement of claim.

DATE FILED: September 13, 1999

CASE SUMMARY: Claimant alleged that Respondent DiFrancesca, through fraud and unseemly misrepresentations enticed him to purchase shares of Zenith. Claimant further alleged that one week later, Zenith filed for reorganization and as a result he suffered financial losses.

Claim Data

Claim: \$18,000.00
Interest: Unspecified

Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$17,889.04
Interest: at 6% per annum from
8/11/99 to 11/15/00.
Filing Fees: \$425.00
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The claims of Claimant against Respondents Douglas Pollicino, George H. Malagon, Jr. and Leland Swift are dismissed in their entirety. 2) Respondent, Michael DiFrancesca is liable and shall pay to the Claimant \$17,889.04. 3) Respondent DiFrancesca is liable and shall pay to the Claimant interest at the rate of 6% per annum from 8/11/99 to 11/15/00. 4) All other relief requests are denied. 5) The \$425.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the Claimant, shall be retained by NASD Dispute Resolution, Inc. 6) Respondent, DiFrancesca is liable and shall pay to the Claimant \$425.00 as reimbursement of the filing fee.

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OTHER ISSUES: Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that respondent, DiFrancesca was served notice of the Statement of Claim, Overdue Notice and Notification of Arbitrator by regular mail, and is therefore bound by the arbitrator's ruling and determination.

Pursuant to the court order entered May 27, 1999 all claims against La Jolla Capital (Pacific Cortez was stayed pending further notification from the State of California.

AFFIRMATION

I, Lisa M. Mezzetti, 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.



Lisa M. Mezzetti

January 3, 2001

Date of award