

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between:

Arnold Verosloff, (Claimant) vs. Prudential Securities Incorporated and Robert Bleissmann,
(Respondents)

Case Number: 99-05033

Hearing Site: New York, New York

REPRESENTATION OF PARTIES

Claimant, Arnold Verosloff, hereinafter referred to as "Claimant": Dennis Alan Auciello, Esq.,
Dennis Alan Auciello, P.A., New Brunswick, NJ.

Respondents, Prudential Securities Incorporated ("Prudential") and Robert Bleissmann ("Bleissmann"), hereinafter collectively referred to as "Respondents": William M. Cassarini, Esq., Prudential Securities Incorporated, New York, NY. Previously represented by: David I. Futter, Esq., Prudential Securities Incorporated, New York, NY.

CASE INFORMATION

Statement of Claim filed on or about: November 5, 1999.
Claimant signed the Uniform Submission Agreement: November 1, 1999.

Statement of Answer filed by Respondents on or about: January 12, 2000.
Prudential signed the Uniform Submission Agreement: January 12, 1999.
Bleissmann signed the Uniform Submission Agreement: June 24, 2000.

CASE SUMMARY

Claimant asserted the following causes of action: failure to execute an order to buy an initial public offering in the stock of Marketwatch.com, Inc. and breach of contract.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted the following defenses: the Statement of Claim in its entirety fails to state a claim against Respondents; Claimant has not incurred any damages arising from the actions of Respondents; Claimant's claim fails because he did not justifiably rely upon any alleged misstatements or omissions by Respondents; Claimant has failed to plead or establish the existence of a contract with Respondents and any breach thereof; Claimant has failed to plead or establish that he incurred a legal detriment as part of a bargain with Respondents; and the Statement of Claim fails to state a claim upon which an Award of punitive damages can be made.

RELIEF REQUESTED

Claimant requested "benefit-of-the-bargain" damages in the amount of \$385,000.00; punitive damages in the amount of \$577,500.00; forum fees; attorneys' fees; witness and production fees; and other case-related costs.

Respondents requested that the Statement of Claim be dismissed in its entirety.

OTHER ISSUES CONSIDERED AND DECIDED

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Claimant's claims for "benefit-of-the-bargain" damages and punitive damages are hereby denied in their entirety.
2. Respondents be and hereby are jointly and severally liable for and shall pay to Claimant the sum of \$5,000.00 as attorneys' fees.
3. Respondents be and hereby are jointly and severally liable for and shall pay to Claimant the sum of \$375.00, to reimburse Claimant for the filing fee previously paid to NASD Dispute Resolution, Inc.
4. All other requests for relief are hereby denied.

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

= \$ 375.00

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 person at the time of the events giving rise to the dispute. In this matter, Prudential Securities Incorporated is a party.

Member surcharge	= \$2,000.00
Pre-hearing process fee	= \$ 600.00
Hearing process fee	= \$3,500.00

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 arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with Panel x \$1,200.00	= \$1,200.00
Pre-hearing conference: February 21, 2001 1 session	
Two (2) Hearing sessions x \$1,200.00	= \$2,400.00
Hearing Date: August 14, 2001 2 sessions	
Total Forum Fees	= \$3,600.00

The Panel has assessed all of the forum fees jointly and severally against Respondents.

Fee Summary

1. Claimant be and hereby is solely liable for:

Initial Filing Fee	= \$ 375.00
Total Fees	= \$ 375.00
Less payments	= \$1,575.00
Refund Due Claimant	= \$1,200.00

As stated in the "Award" section above, Respondents are jointly and severally liable and shall reimburse Claimant for the \$375.00 filing fee.

2. Prudential be and hereby is solely liable for:

Member Fees	= \$6,100.00
Total Fees	= \$6,100.00
Less payments	= \$6,100.00
Balance Due NASD Dispute Resolution, Inc.	= \$ 0.00

3. Respondents be and hereby are jointly and severally liable for:

<u>Forum Fees</u>	= \$3,600.00
<u>Total Fees</u>	= \$3,600.00
<u>Less payments</u>	= \$ 0.00
<u>Balance Due NASD Dispute Resolution, Inc.</u>	= \$3,600.00

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

ARBITRATION PANEL

C. Sidney Lester, Esq.	-	Public Arbitrator, Presiding Chair
Albert F. Reegen	-	Public Arbitrator
Robert A. Foy, Esq.	-	Industry Arbitrator

Concurring Arbitrators' Signatures

I, the undersigned arbitrator, 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.



C. Sidney Lester, Esq.
Public Arbitrator, Presiding Chair

December 4, 2001

Signature Date

Albert F. Reegen
Public Arbitrator

Signature Date

Robert A. Foy, Esq.
Industry Arbitrator

Signature Date

December 19, 2001
Date of Service (For NASD office use only)

ARBITRATION PANEL

C. Sidney Lester, Esq.	-	Public Arbitrator, Presiding Chair
Albert F. Reegen	-	Public Arbitrator
Robert A. Foy, Esq.	-	Industry Arbitrator

Concurring Arbitrators' Signatures

I, the undersigned arbitrator, 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.

C. Sidney Lester, Esq.
Public Arbitrator, Presiding Chair

Albert F. Reegen
Public Arbitrator

Robert A. Foy, Esq.
Industry Arbitrator

Signature Date

12/04/01
Signature Date

Signature Date

December 19, 2001
Date of Service (For NASD office use only)

ARBITRATION PANEL

C. Sidney Lester, Esq.	-	Public Arbitrator, Presiding Chair
Albert F. Reegen	-	Public Arbitrator
Robert A. Foy, Esq.	-	Industry Arbitrator

Concurring Arbitrators' Signatures

I, the undersigned arbitrator, 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.

C. Sidney Lester, Esq.
Public Arbitrator, Presiding Chair


Signature Date

C. Sidney Lester, Esq.
Public Arbitrator, Presiding Chair

Albert F. Reegen
Public Arbitrator

Signature Date

Albert F. Reegen
Public Arbitrator


Robert A. Foy, Esq.
Industry Arbitrator


Signature Date

December 19, 2001

Date of Service (For NASD office use only)