

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between:

Name of the Claimants
Jonathan M. and Susan M. Gorog

Case Number: 00-01105

Names of the Respondents
Anderson & Strudwick Incorporated,
Norman K. Marshall and
Charles A. Mills, III

Hearing Site: Norfolk, VA

REPRESENTATION OF PARTIES

Claimants, Jonathan M. and Susan M. Gorog ("Claimants") were represented by Eric S. Chofnas, Esq. and Celeste McCollough, Esq. of the law firm of Chorey, Taylor & Feil, Atlanta, GA.

Respondents Anderson & Strudwick Incorporated ("A&S"), Norman K. Marshall ("Marshall") and Charles A. Mills, III ("Mills") collectively referred to as ("Respondents") were represented by James A. Murphy, Esq., Paul D. Anders, Esq. and Cameron S. Matheson, Esq. of the law firm of LeClair Ryan, P.C., Richmond, VA and were represented by Everette G. Allen, Jr., Esq. of the law firm of Allen & Allen, P.C., Richmond, VA.

CASE INFORMATION

Statement of Claim filed: March 13, 2000

Claimants' Submission Agreement signed on: March 7, 2000

Response of Claimants to Motion to Dismiss Filed by Respondent Mills and Amendment to Statement of Claim filed: July 31, 2000

Response of Claimants to Second Motion to Dismiss filed: September 5, 2000

Joint Statement of Answer filed by the Respondents and Mills' Motion to Dismiss: May 26, 2000

A&S's Uniform Submission Agreement was executed by Thomas C. Robertson, President of Anderson & Strudwick, Inc. on: May 22, 2000

Marshall's Uniform Submission Agreement was signed on: May 22, 2000

Mills' Uniform Submission Agreement was signed on: May 23, 2000

Response to the Response of Claimants to Motion to Dismiss filed by Respondent Mills and Amendment to Statement of Claim filed: August 18, 2000

CASE SUMMARY

Claimants asserted the following causes of action: breach of contract, breach of fiduciary duty, fraud, misrepresentation, and negligence; violations of both Federal and State securities laws, and violations of the conduct rules of the NASD. Claimants alleged that Mills and A&S are liable for

their own conduct, are liable for aiding and abetting and for conspiracy, and are vicariously liable as controlling persons and under the doctrine of respondeat superior and for negligent hiring and retention. The causes of actions relate to, among other things, the purchase and/or sale of the following securities: Felsor Lodging Trust; Innskeepers USA Trust; Patriot American Hospitality/Wyndham International; Health Care REIT; Humphrey Hospitality; Monmouth Real Estate; Allied Capital Lending; Ocwen Asset Investment; Dynex Capital; Independent Property Operators of America; Consumer Portfolio Services; Doral Financial; United Mobil Homes; New England Investment; Sunstone Hotel Investors; Supreme Industries; World Acceptance; CTB International Corp.; Cavalier Homes; Virginia Gas; Capstone Pharmacy Service/Bergen Brunswick; Alliance Semiconductor; Little Switzerland; Dense PAC Microsystems; and, United Dominion Realty Trust, Inc.

Respondents denied all allegations of wrongdoing asserted by Claimants. Respondents moved to dismiss Mills as a Respondent.

RELIEF REQUESTED

Claimants, in their Statement of Claim, requested:

Compensatory Damages in an amount not less than	\$700,000
Punitive Damages	\$250,000
Interest	unspecified
Attorneys' Fees	unspecified
Other Costs	unspecified

Respondents requested that Claimants' claim be dismissed and that the Panel award Respondents their costs and attorneys fees expended in defense of this action.

OTHER ISSUES CONSIDERED AND DECIDED

During the course of the hearing, Respondents made a motion to bar the testimony of an expert witness for the Claimants. This motion was denied.

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, and the post-hearing submissions, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. That Respondent Anderson & Strudwick, Inc. is liable to Claimants Jonathan M. and Susan M. Gorog and shall pay them compensatory damages in the amount of \$150,000; no prejudgment interest is awarded on this amount.
2. That Claimants' claim for punitive damages is denied in its entirety.
3. That the parties shall bear their respective costs, including attorneys' fees, except as Fees are specifically addressed below.
4. The Panel recommends the expungement of all references to the above captioned arbitration from Respondents Norman K. Marshall's and Charles A. Mills, III's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, Respondents Norman K. Marshall and Charles A. Mills, III must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.
5. That any and all requests for relief not specifically addressed 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 = \$375

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. Accordingly, Anderson & Strudwick, Inc. is a party.

Member surcharge	= \$2,000
Pre-hearing process fee	= \$ 600
Hearing process fee	= \$3,500

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

July 10, 11, 12 and 13, 2001, adjourned by Claimants	= fee waived
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Forum Fees and Assessments

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

One (1) Pre-hearing session with Panel x \$1,200 = \$ 1,200
 Pre-hearing conference: December 19, 2000 1 session

Twelve (12) Hearing sessions x \$1,200 = \$14,400
 Hearing Dates: April 9, 2002 2 sessions
 April 10, 2002 3 sessions
 April 11, 2002 3 sessions
 April 12, 2002 2 sessions
 April 13, 2002 2 sessions

Total Forum Fees = \$15,600

1. The Panel has assessed forum fees in the amount of \$7,800 against Claimants.
2. The Panel has assessed forum fees in the amount of \$7,800 against Anderson & Strudwick.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

Claimants, copies of additional awards = \$40

Fee Summary

Claimants are assessed the following fees: -

Initial Filing Fee	= \$ 375
Forum Fees	= \$ 7,800
<u>Administrative Costs</u>	<u>= \$ 40</u>
Total Fees	= \$ 8,215
<u>Less payments</u>	<u>= \$ 1,615</u>
Balance Due NASD Dispute Resolution, Inc.	= \$ 6,600

Respondent Anderson & Strudwick is assessed the following fees:

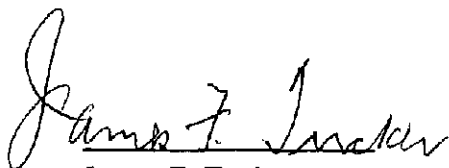
Member Fees	= \$ 6,100
<u>Forum Fees</u>	<u>= \$ 7,800</u>
Total Fees	= \$13,900
<u>Less payments</u>	<u>= \$ 6,100</u>
Balance Due NASD Dispute Resolution, Inc.	= \$ 7,800

All balances are payable to NASD Dispute Resolution, Inc. and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

James F. Tucker	-	Public Arbitrator, Presiding Chairperson
Robert C. Stackhouse, Esq.	-	Public Arbitrator, Panelist
Thomas V. Grigsby	-	Non-Public Arbitrator, Panelist

Concurring Arbitrators' Signatures



James F. Tucker
Public Arbitrator, Presiding Chairperson

5-15-02

Signature Date

Robert C. Stackhouse, Esq.
Public Arbitrator

Signature Date

Thomas V. Grigsby
Non-Public Arbitrator

Signature Date

May 17, 2002

Date of Service (For NASD Dispute Resolution office use only)


ARBITRATION PANEL

James F. Tucker	-	Public Arbitrator, Presiding Chairperson
Robert C. Stackhouse, Esq.	-	Public Arbitrator, Panelist
Thomas V. Grigsby	-	Non-Public Arbitrator, Panelist

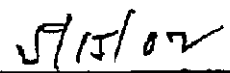
Concurring Arbitrators' Signatures

James F. Tucker
Public Arbitrator, Presiding Chairperson

Signature Date



Robert C. Stackhouse, Esq.
Public Arbitrator



Signature Date

Thomas V. Grigsby
Non-Public Arbitrator

Signature Date



Date of Service (For NASD Dispute Resolution office use only)

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ARBITRATION PANEL

James F. Tucker
Robert C. Stackhouse, Esq.
Thomas V. Grigsby

Public Arbitrator, Presiding Chairperson
Public Arbitrator, Panelist
Non-Public Arbitrator, Panelist

Concurring Arbitrators' Signatures

James F. Tucker
Public Arbitrator, Presiding Chairperson

Signature Date

Robert C. Stackhouse, Esq.
Public Arbitrator

Signature Date

Thomas V. Grigsby
Thomas V. Grigsby
Non-Public Arbitrator

5-14-02
Signature Date

May 17, 2002

Date of Service (For NASD Dispute Resolution office use only)