

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between: C.O. Brown and Doris A. Brown, Claimants v. A.G. Edwards & Sons, Inc. and Jerry Beto, Respondents

Case Number: 00-03760

Hearing Site: Salt Lake City, Utah

REPRESENTATION OF PARTIES

For Claimants:

C. O. and Doris A. Brown
In Pro Per
Caldwell, Idaho

For Respondents:

Phyllis A. Hartrich
A.G. Edwards & Sons, Inc.
St. Louis, Missouri

CASE INFORMATION

Statement of Claim filed: August 25, 2000

Claimant C.O. Brown's Uniform Submission Agreements signed: September 12, 2000

Claimant Doris A. Brown's Uniform Submission Agreements signed: September 12, 2000

Joint Statement of Answer filed by Respondents: November 10, 2000

Respondent A.G. Edward's Uniform Submission Agreement signed: November 10, 2000

Respondent Beto's Uniform Submission Agreement signed: October 13, 2000

CASE SUMMARY

Claimants alleged breach of contract, breach of fiduciary duty, negligence and incorrect quantity.

Respondents denied the allegations of wrongdoing set forth in the Claimants' Statement of Claim.

RELIEF REQUESTED

Claimants requested actual damages in the amount of \$57,720.60 and punitive damages in the amount of \$10,000.

Respondents requested dismissal of the Claimants' Statement of Claim in its entirety.

OTHER ISSUES CONSIDERED AND DECIDED

The parties 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, testimony and evidence presented at the hearing, the Panel decided in full and final resolution of the issues submitted for determination as follows:

- 1) All claims asserted by Claimants in association with this matter are hereby denied. Accordingly, Claimants shall not recover any damages, awards, money or other relief from Respondents.
- 2) Each party shall bear its own costs, including attorney's fees.
- 3) All other relief not expressly granted is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution, Inc. received or will collect the non-refundable filing fees for each claim as follows:

Initial claim filing fee	= \$ 225.00
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Member Fees

Member fees are assessed to each member firm that is either a party in the matter or an employer of a respondent associated person at the time of the events which gave rise to the dispute, claim, or controversy. Accordingly, the member firm A.G. Edwards & Sons, Inc. is a party and the following fees are assessed:

Member Surcharge	= \$ 1,000.00
Pre-Hearing Process Fee	= \$ 600.00

Hearing Process Fee = \$ 1,500.00

Total Member Fees = \$ 3,100.00

Adjournment Fees

The following adjournment fees are assessed:

No adjournments were requested in this matter.

Forum Fees and Assessments

The Panel assessed a forum fee for each pre-hearing conference or hearing session conducted. A pre-hearing conference and hearing session is any meeting between the parties and the Chair/Panel. The following fees are assessed:

(1) Pre-hearing conference session with the Panel @ \$750.00/session = \$ 750.00

Pre-hearing conference: March 13, 2001 1 session

(2) Hearing sessions @ \$750.00/session = \$ 1,500.00

Hearing: August 21, 2001 2 sessions

Total Forum Fees = \$ 2,250.00

1. The Panel assessed \$ 1,125.00 of the forum fees jointly and severally to Claimants C.O. Brown and Doris A. Brown.
2. The Panel assessed \$ 1,125.00 of the forum fees jointly and severally to Respondents A.G. Edwards & Sons, Inc. and Jerry Beto.

Administrative Costs

Administrative costs are expenses incurred because a party requested additional services beyond the normal administrative services. These additional services include, but are not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, security, and other requests.

No administrative costs were incurred in this matter.

Fee Summary

1. Claimants, C.O. Brown and Doris A. Brown, are charged jointly and severally with the following fees and costs:
Initial Filing Fee = \$ 225.00

<u>Forum Fees</u>	= \$ 1,125.00
<u>Total Fees</u>	= \$ 1,350.00
<u>Less Payments</u>	= \$ (975.00)
<u>Balance Due NASD Dispute Resolution, Inc.</u>	= \$ 375.00

3. Respondent, A.G. Edwards & Sons, Inc., is charged with the following fees and costs:

<u>Member Fees</u>	= \$ 3,100.00
<u>Less Payments</u>	= \$(3,100.00)
<u>Balance Due NASD Dispute Resolution, Inc.</u>	= \$ 0.00

4. Respondents, A.G. Edwards & Sons, Inc. and Jerry Beto, are charged jointly and severally with the following fees and costs:

<u>Forum Fees</u>	= \$ 1,125.00
<u>Balance Due NASD Dispute Resolution, Inc.</u>	= \$ 1,125.00

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

ARBITRATION PANEL

A.O. Headman, Jr.
Jeffrey W. Shields
E.Y. Bennion

-	Public Arbitrator, Presiding Chair
-	Public Arbitrator
-	Non-Public Arbitrator

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Arbitration No. 00-03760
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Concurring Arbitrators' Signatures



A.O. Headman, Jr.
Chair, Public Arbitrator

10/8/01

Signature Date

Jeffrey W. Shields
Public Arbitrator

Signature Date Jeffrey W. Shields
Public Arbitrator

E.Y. Bennion
Industry/Non-Public Arbitrator

Signature Date

Date Served:

OCT 15 2001

Date of Service

Concurring Arbitrators' Signatures

A.O. Headman, Jr.
Chair, Public Arbitrator

Signature Date


Jeffrey W. Shields
Public Arbitrator

10/04/2001

Signature Date

Jeffrey W. Shields
Public Arbitrator

E.Y. Bennion
Industry/Non-Public Arbitrator

Signature Date

Date Served:

OCT 15 2001

Date of Service

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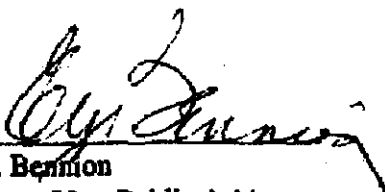
Concurring Arbitrators' Signatures

A.O. Headman, Jr.
Chair, Public Arbitrator

Signature Date

Jeffrey W. Shields
Public Arbitrator

Signature Date



E.Y. Benmion
Industry/Non-Public Arbitrator


10/6/01

Signature Date

Date Served:
OCT 15 2001

Date of Service