

**Award
NASD**

In the Matter of the Arbitration Between:

Name of the Claimant

Apple Valley Development Corporation

Case Number: 00-04857

Name of the Respondent

Scottsdale Securities, Inc.

Hearing Site: Tampa, FL

REPRESENTATION OF PARTIES

For Apple Valley Development Corporation, hereinafter referred to as "Claimant":
Christopher W. Wickersham, Sr., Esq., Wickersham & Bowers, Daytona Beach, FL.

For Scottsdale Securities, Inc. ("Scottsdale"), hereinafter referred to as "Respondent":
Sherri C. Strand, Esq., Thompson Coburn LLP, St. Louis, MO.

CASE INFORMATION

Statement of Claim filed on or about: October 31, 2000.

Claimant's Denial of Respondent's Affirmative Defenses filed on or about: March 12, 2001.

Claimant signed the Uniform Submission Agreement: December 2, 2000.

Statement of Answer filed by Respondent on or about: March 1, 2001.

Respondent signed the Uniform Submission Agreement: January 23, 2001.

CASE SUMMARY

Claimant asserted the following causes of action: violations of the Florida Securities and Investor Protection Act and federal securities laws; breach of fiduciary duty; materiality; inducement; negligent failure to supervise; breach of contract; reliance; negligence; and, other state and federal violations. The causes of action relate to the purchase of 4,000 shares of Qualcom stock in Claimant's account.

Unless specifically admitted in its Answer, Respondent denied the allegations made in the Statement of Claim and asserted various affirmative defenses including: the Statement of Claim makes no factual assertions of fraudulent conduct by Respondent; Respondent was not a fiduciary of Claimant; and, the alleged acts or omissions of Respondent did not proximately cause Claimant's alleged damages.

RELIEF REQUESTED

Claimant requested compensatory damages of \$58,674.84 plus interest, attorneys' fees, costs, punitive damages of \$117,349.68, and for such other relief as may be fair and just.

Respondent requested dismissal of the Statement of Claim.

OTHER ISSUES CONSIDERED AND DECIDED

Counsel for Claimant was present at the evidentiary hearing, however, no individual officer or employee appeared to testify on behalf of the Claimant.

The parties have agreed that the Award in this matter may be executed in counterpart copies.

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, and the post-hearing submissions (if any), the undersigned arbitrators (the "Panel") has decided in full and final resolution of the issues submitted for determination as follows:

Claimant's Statement of Claim is dismissed in its entirety, with prejudice.

Respondent is liable and shall pay to Claimant the sum of \$300.00 representing reimbursement of the claim filing fee previously paid by Claimant to NASD.

Any and all relief not specifically addressed herein, including Claimant's request for punitive damages, is denied.

FEES

Pursuant to the NASD Code of Arbitration Procedure (the "Code"), the following fees are assessed:

Filing Fees

NASD will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee	= \$300.00
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Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. In this matter, the member firm is a party.

Member surcharge	= \$1,500.00
Pre-hearing process fee	= \$600.00
Hearing process fee	= \$2,500.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

June 26 and 27, 2002, adjournment by Claimant	= \$1,125.00
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Adjournment fee to be shared equally by Claimant and Respondent.

Injunctive Relief Fees

Injunctive relief fees are assessed to each member or associated person who files for a temporary injunction in court. Parties in these cases are also assessed arbitrator travel expenses and costs when an arbitrator is required to travel outside his or her hearing location and additional arbitrator honoraria for the hearing for permanent injunction. These fees, except the injunctive relief surcharge, are assessed equally against each party unless otherwise directed by the Panel.

No injunctive relief fees were incurred in this matter.

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 @ \$1,125.00	= \$1,125.00
Pre-hearing conference: July 10, 2001 1 session	
Four (4) Hearing sessions @ \$1,125.00	= \$4,500.00
Hearing Dates: August 13, 2002 2 sessions	
August 14, 2002 2 sessions	
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Total Forum Fees	= \$5,625.00

The Panel has assessed the total forum fees of \$5,625.00 to Respondent.

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 are not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

No administrative costs were incurred in this matter.

FEE SUMMARY

Claimant is solely liable for:

Initial Filing Fee	= \$300.00
Adjournment Fee	= \$562.50
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Total Fees	= \$862.50
Less payments	= \$862.50
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Balance Due NASD	= \$0.00

Respondent is solely liable for:

Member Fees	= \$4,600.00
Adjournment Fee	= \$562.50
Forum Fees	= \$5,625.00
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Total Fees	= \$10,787.50
Less payments	= \$3,600.00
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Balance Due NASD	= \$7,187.50

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

ARBITRATION PANEL

Herbert L. Blume	-	Public Arbitrator, Presiding Chair
Brian G. Mooney, Esq.	-	Public Arbitrator
Paul L. Matecki, Esq.	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

/s/

Herbert L. Blume
Public Arbitrator, Presiding Chair

Signature Date

/s/

Brian G. Mooney, Esq.
Public Arbitrator

Signature Date

/s/

Paul L. Matecki, Esq.
Non-Public Arbitrator

Signature Date

September 17, 2002

Date of Service (For NASD office use only)

Respondent is solely liable for:

Member Fees	= \$4,600.00
Adjournment Fee	= \$562.50
Forum Fees	= \$5,625.00

Total Fees	= \$10,787.50
Less payments	= \$3,600.00


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Paul L. Matecki, Esq.	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures



Herbert L. Blume
Public Arbitrator, Presiding Chair



Signature Date

Brian G. Mooney, Esq.
Public Arbitrator

Signature Date

Paul L. Matecki, Esq.
Non-Public Arbitrator

Signature Date

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Herbert L. Blume
Public Arbitrator, Presiding Chair

Signature Date



Brian G. Mooney, Esq.
Public Arbitrator

9/3/02

Signature Date

Paul L. Matecki, Esq.
Non-Public Arbitrator

Signature Date

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Concurring Arbitrators' Signatures

Herbert L. Blume
Public Arbitrator, Presiding Chair

Signature Date

Brian G. Mooney, Esq.
Public Arbitrator

Signature Date



Paul L. Matecki, Esq.
Non-Public Arbitrator

8/29/02
Signature Date

Date of Service (For NASD office use only)