

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between

Name of Claimant

John A. St. George

Case No. 00-05169

Names of Respondents

TD Waterhouse Investor Services, Inc.
Erik Wiklund

Hearing Site: Tampa, Florida

REPRESENTATION OF PARTIES

John A. St. George, hereinafter referred to as "Claimant", appeared pro se.

For TD Waterhouse Investor Services, Inc. ("TDW") and Erik Wiklund ("Wiklund") hereinafter collectively referred to as "Respondents": Burton W. Wiand, Esq. of Fowler, White, Gillen, Boggs, Villareal and Banker, P.A., Tampa, FL.

CASE INFORMATION

Statement of Claim filed on or about: November 21, 2000.

Claimant signed the Uniform Submission Agreement: November 16, 2001.

Respondents' Statement of Answer filed on or about: January 17, 2001.

Respondent TDW signed the Uniform Submission Agreement: January 16, 2001.

Respondent Wiklund did not file an executed Uniform Submission Agreement.

CASE SUMMARY

Claimant asserted the following causes of action: breach of fiduciary duty; negligence; failure to supervise; violations of federal and state securities laws; violations of the NASD Rules of Fair Practice and NYSE rules; misrepresentation; and, breach of contract.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted various affirmative defenses including: failure to state a cause of action; Claimant suffered no damage; and, Respondents acted in accordance with Claimant's direction and fully discharged all duties owed to Claimant.

RELIEF REQUESTED

Claimant requested compensatory damages of approximately \$16,000.00 plus interest, lost opportunity costs, attorneys' fees, costs, and such other and further relief as the Arbitrator deemed just and appropriate.

Respondents requested that the Statement of Claim be dismissed and that Claimant bear all expenses of Respondents in connection with this matter.

OTHER ISSUES CONSIDERED AND DECIDED

On or about August 1, 2001, NASD Dispute Resolution, Inc. was informed that on June 8, 2001, Claimant filed for protection under Chapter 7 of the United States Bankruptcy Code.

Respondent Wiklund did not file with NASD Dispute Resolution, Inc. a properly executed submission to arbitration but is required to submit to arbitration pursuant to the NASD Code of Arbitration Procedure (the "Code") and, having answered the claim, appeared and testified at the hearing, is bound by the determination of the Arbitrator on all issues submitted.

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 (if any), the Arbitrator 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.

Any and all relief requests not specifically addressed herein are 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	= \$125.00
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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 = \$400.00

Forum Fees and Assessments

The Arbitrator has the authority to assess forum fees for each hearing session conducted. A hearing 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 a single arbitrator x \$450.00 = \$450.00
Pre-hearing conference: May 14, 2001 1 session

One (1) Hearing session x \$450.00 = \$450.00
Hearing Date: July 18, 2001 1 session

Total Forum Fees = \$900.00

The Arbitrator has assessed \$450.00 of the forum fees jointly and severally to Respondents. The Arbitrator did not assess the balance of the forum fees of \$450.00.

FEE SUMMARY

Claimant be and hereby is solely liable for:

Initial Filing Fee = \$125.00

Total Fees = \$125.00

Less payments = \$125.00

Balance Due NASD Dispute Resolution, Inc. = \$0.00

Respondent TDW be and hereby is solely liable for:

Member Fees = \$400.00

Total Fees = \$400.00

Less payments = \$400.00

Balance Due NASD Dispute Resolution, Inc. = \$0.00

Respondents be and hereby are jointly and severally liable for:

Forum Fees = \$450.00

Total Fees = \$450.00

Less payments = \$450.00

Balance Due NASD Dispute Resolution, Inc. = \$0.00

ARBITRATOR

Thomas J. Patka, Esq.

- Public Arbitrator, Presiding Chair

Arbitrator's Signature

/s/

Thomas J. Patka, Esq.
Public Arbitrator, Presiding Chair

Signature Date

August 29, 2001

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

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Respondents be and hereby are jointly and severally liable for:

Forum Fees = \$450.00

Total Fees = \$450.00

Less payments = \$450.00

Balance Due NASD Dispute Resolution, Inc. = \$0.00

ARBITRATOR

Thomas J. Patka, Esq.

Public Arbitrator, Presiding Chair

Arbitrator's Signature



Thomas J. Patka, Esq.
Public Arbitrator, Presiding Chair

8/28/01
Signature Date

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