

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Choung Kook Yoo & Myung HWA Yoo (Claimants) vs. Coleman & Company Securities, Inc. and Taeyong Chung (Respondents)

Case Number: 01-00107

Hearing Site: New York, NY

REPRESENTATION OF PARTIES

Claimants Choung-Kook Yoo and Myung-HWA Yoo, hereinafter collectively referred to as "Claimants": William B. Scoville, Jr., Esq., Bae & Associates, P.C., New York, NY.

Respondents Coleman & Company Securities, Inc., ("Coleman") appeared *pro se*. Previously represented by: Michael Ference, Esq., Sichenzia Ross Friedman Ference LLP, New York, NY.

Respondent Taeyong Chung ("Chung") appeared *pro se*.

CASE INFORMATION

Statement of Claim filed on or about: January 8, 2001.

Amended Statement of Claim filed on or about: September 27, 2002.

Claimants signed the Uniform Submission Agreement: September 25, 2000.

Statement of Answer filed by Coleman on or about: March 23, 2001.

Statement of Answer to Claimants' Amended Statement of Claim filed by Coleman on or about: November 12, 2002.

Coleman did not sign the Uniform Submission Agreement.

Chung did not file a Statement of Answer or sign a Uniform Submission Agreement.

CASE SUMMARY

Claimants asserted the following causes of action: breach of contract, breach of rule 2310 of the NASD rules of conduct, breach of fiduciary duty, securities brokerage malpractice, conversion, negligence, common law fraud, violations of Section 10(b)(5) under the Securities and Exchange Act of 1934, and control person liability pursuant to 15 U.S.C. The claims involve unspecified securities.

Unless specifically admitted in their Answer, Coleman denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

In the Statement of Claim Claimants requested \$40,000.00 in compensatory damages, \$60,000.00 in punitive damages, costs and expenses in bringing this action, payment of reasonable attorney's fees and interest.

In the Amended Statement of Claim Claimants reduced the amount of compensatory damages requested to \$19,538.92, plus interest, and punitive damages computed as triple damages in the amount of \$58,616.76.

Coleman requested that the Panel dismiss the Statement of Claim, and award it costs and expenses, including reasonable attorney's fees, and interest, and such other relief as the Panel deems appropriate.

OTHER ISSUES CONSIDERED AND DECIDED

Upon review of the file and the representations made on behalf of the Claimants, the undersigned Panel determined that Coleman has been properly served with the Statement of Claim and received due notice of the hearing and that arbitration of the matter would proceed without said Coleman present, in accordance with the NASD Code of Arbitration Procedure (the "Code").

Coleman did not file with NASD Dispute Resolution a properly executed Uniform Submission Agreement but is required to submit to arbitration pursuant to the Code and having answered the claim, is bound by the determination of the Panel on all issues submitted.

Chung did not file with NASD Dispute Resolution a properly executed Uniform Submission Agreement but is required to submit to arbitration pursuant to the Code, and is bound by the determination of the Panel on all issues submitted.

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. Coleman is liable for and shall pay to Claimants the sum of \$8,000.00, as compensatory damages, plus interest at a rate of 5% per annum accruing from March 31, 2000 until the date of payment of this award.
2. Coleman is liable for and shall pay to Claimants the sum of \$24,000.00, as punitive damages, plus interest at a rate of 5% per annum from March 31, 2000 until the date

of payment of this award. The Panel cited Aldrich vs. Thomson McKinnon Securities, Inc. as authority for awarding punitive damages.

3. Chung is liable for and shall pay to Claimants the sum of \$4,000.00, as compensatory damages, plus interest at a rate of 5% per annum accruing from March 31, 2000 until the date of payment of this award.
4. Any and all relief not specifically addressed herein is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Initial claim filing fee	= \$225.00
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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 that employed the associated person at the time of the events giving rise to the dispute. Accordingly, Coleman & Company Securities, Inc. is a party.

Member surcharge	= \$1,000.00
Pre-hearing process fee	= \$ 600.00
Hearing process fee	= \$1,500.00

Adjournment Fees

Adjournments granted during these proceedings:

January 13 and 14, 2003, adjournment by Claimants	= 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 arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

Two (2) Pre-hearing session with the full panel @ \$750.00	= \$ 1,500.00
Pre-hearing conference: July 9, 2001 1 session	
August 23, 2002 1 session	

Two (2) Hearing sessions @ \$750.00	= \$ 1,500.00
Hearing Date: July 16, 2003 2 sessions	

Total Forum Fees = \$ 3,000.00

1. The Panel has assessed \$1,500.00 of the forum fees against Claimants.
2. The Panel has assessed \$1,125.00 of the forum fees against Coleman.
3. The Panel has assessed \$ 375.00 of the forum fees against Chung.

Fee Summary

1. Claimants are jointly and severally liable for:

Initial Filing Fee	= \$ 225.00
Forum Fees	= \$ 1,500.00
Total Fees	= \$ 1,725.00
Less payments	= \$ 975.00
Balance Due NASD Dispute Resolution	= \$ 750.00

2. Coleman is solely liable for:

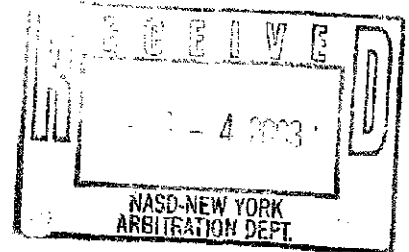
Member Fees	= \$ 3,100.00
Forum Fees	= \$ 1,125.50
Total Fees	= \$ 4,225.50
Less payments	= \$ 1,600.00
Balance Due NASD Dispute Resolution	= \$ 2,625.50

3. Chung is solely liable for:

Forum Fees	= \$ 375.00
Total Fees	= \$ 375.00
Less Payments	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$ 375.00

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

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Arbitration No. 01-00107
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ARBITRATION PANEL

Harold Rubin	-	Public Arbitrator, Presiding Chair
John Kelly, Esq.	-	Public Arbitrator
Michael Knoll, Esq.	-	Non-Public Arbitrator

Concurring Arbitrators' Signature(s)

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 is which is my award.

Harold Rubin
Harold Rubin
Public Arbitrator, Presiding Chairperson

7/31/03
Signature Date

John Kelly, Esq.
Public Arbitrator

Signature Date

Michael Knoll, Esq.
Non-Public Arbitrator

Signature Date

August 27, 2003
Date of Service (For NASD Dispute Resolution use only)

ARBITRATION PANEL

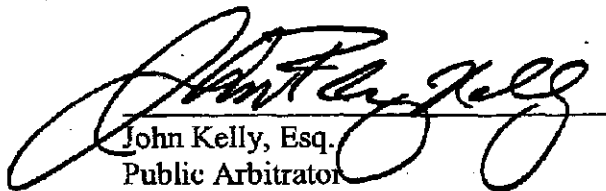
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Public Arbitrator, Presiding Chairperson

Signature Date



John Kelly, Esq.
Public Arbitrator



Signature Date

Michael Knoll, Esq.
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Signature Date

John Kelly, Esq.
Public Arbitrator

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Michael Knoll, Esq.
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