

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Antonia Honiss (Claimant) v. National Clearing Corp. f/k/a J.B. Oxford & Company
(Respondent)

Case Number: 01-00294

Hearing Site: New York, New York

Nature of the Dispute: Customer v. Member.

REPRESENTATION OF PARTIES

Claimant Antonia Honiss ("Honiss") hereinafter referred to as "Claimant" appeared *pro se*.

Respondent National Clearing Corp. f/k/a J.B. Oxford & Company ("J.B. Oxford") hereinafter referred to as "Respondent": Jeffrey S. Kob, Esq., Miller Milove & Kob, San Diego, CA.

CASE INFORMATION

Statement of Claim filed on or about: January 16, 2001.

Response to Motion to Dismiss filed on or about: April 13, 2001.

Claimant signed the Uniform Submission Agreement: January 12, 2001.

Statement of Answer and Motion to Dismiss filed by Respondent on or about: March 23, 2001.

Respondent signed the Uniform Submission Agreement: April 24, 2001.

CASE SUMMARY

Claimant asserted the following causes of action: breach of contract; negligence; failure to supervise; failure to execute; execution price; limit vs. market order; breach of fiduciary duty; misrepresentation and non-disclosure; unauthorized trading; churning; omission of fact; manipulation; suitability; failure to reveal being market maker; markups; and threats. Claimant's claim involved common stock.

Unless specifically admitted in its Answer and Motion to Dismiss, Respondent denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$35,000.00; punitive damages in the amount of \$200,000.00; costs; attorneys' fees; and other case-related costs.

Respondent requested that any and all claims against Respondent be dismissed; that Claimant shall take nothing as to Respondent by Claimant's Statement of Claim; and for such other relief as the arbitrators deem just and proper.

OTHER ISSUES CONSIDERED AND DECIDED

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, and 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. Respondent is liable for and shall pay to Claimant compensatory damages in the amount of \$2,500.00.
2. Any and all relief not specifically addressed herein, including punitive damages, 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	= \$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 that employed the associated person at the time of the events giving rise to the dispute. Accordingly, National Clearing Corp. f/k/a J.B. Oxford & Company 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:

September 30, 2002, October 1-3, 2002, adjournment by Claimant = \$562.50
September 30, 2002, October 1-3, 2002, adjournment by Respondent = \$562.50

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:

Three (3) Pre-hearing sessions with Panel @ \$1,125.00		= \$3,375.00
Pre-hearing conferences:		
December 13, 2001	1 session	
June 14, 2002	1 session	
December 11, 2003	1 session	
Four (4) Hearing sessions @ \$1,125.00		= \$4,500.00
Hearing Dates:		
May 26, 2004	2 sessions	
May 27, 2004	2 sessions	
Total Forum Fees		= \$7,875.00

1. The Panel has assessed \$3,937.50 of the forum fees against Claimant.
2. The Panel has assessed \$3,937.50 of the forum fees against Respondent.

Fee Summary

1. Claimant is solely liable for:

Initial Filing Fee	= \$ 300.00
Adjournment Fee	= \$ 562.50
Forum Fees	= \$3,937.50
Total Fees	= \$4,800.00
Less payments	= \$1,425.00
Balance Due NASD Dispute Resolution	= \$3,375.00
2. Respondent is solely liable for:

Member Fees	= \$4,600.00
Adjournment Fee	= \$ 562.50
Forum Fees	= \$3,937.50
Total Fees	= \$9,100.00
Less payments	= \$4,600.00
Balance Due NASD Dispute Resolution	= \$4,500.00

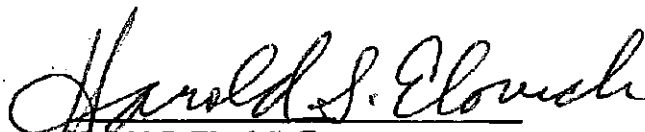
All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

Harold S. Blovich, Esq.	-	Public Arbitrator, Presiding Chair
Peter R. Cella, Esq.	-	Public Arbitrator
Patrick J. Howley, Esq.	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

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 S. Blovich, Esq.
Public Arbitrator, Presiding Chairperson

6/7/04
Signature Date

Peter R. Cella, Esq.
Public Arbitrator

Signature Date

Patrick J. Howley, Esq.
Non-Public Arbitrator

Signature Date

June 9, 2004
Date of Service (For NASD Dispute Resolution use only)

ARBITRATION PANEL

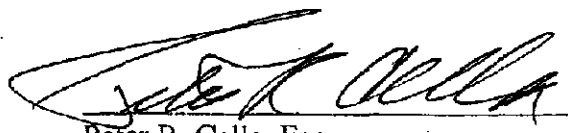
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Concurring Arbitrators' Signatures

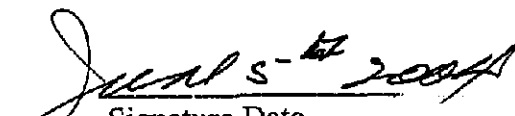
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Public Arbitrator, Presiding Chairperson

Signature Date



Peter R. Cella, Esq.
Public Arbitrator



Signature Date

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