

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between:

Catherine M. Mainini IRA, Claimant v. First Security Van Kasper and Brian Olton,
Respondents

Case Number: 01-01754

Hearing Site: San Francisco, California

REPRESENTATION OF PARTIES

For Claimant Catherine M. Mainini IRA:

Anthony M. Englese, Esq.
Law Offices of Anthony M. Englese
San Francisco, California

For Respondent First Security Van Kasper:

Cameron Stout, Esq.
Gordon C. Young, Esq.
Keesel, Young & Logan
San Francisco, California

For Respondent Brian Olton

Brian Olton
In Propria Persona
Concord, California

CASE INFORMATION

Statement of Claim filed: April 4, 2001

Claimant's Uniform Submission Agreement signed: March 29, 2001

Statement of Answer filed by Respondent First Security Van Kasper: June 27, 2001

Statement of Answer filed by Respondent Brian Olton: None Filed

Respondents First Security Van Kasper's and Brian Olton's Uniform Submission Agreements:
None Filed

CASE SUMMARY

Claimant alleged violation of Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5, violation of California Corporations Code, intentional misrepresentation, negligent misrepresentation, and breach of fiduciary duty involving subordinated convertible debentures in Complete Management, Inc. and senior notes in Globalstar Cap. Corp.

Respondent First Security Van Kasper denied the allegations of wrongdoing set forth in the Claimant's Statement of Claim.

RELIEF REQUESTED

Claimant requested \$183,772.44 in compensatory damages, unspecified punitive damages, and costs, including attorney's fees.

Respondent First Security Van Kasper requested dismissal of the Claimant's Statement of Claim in its entirety and reimbursement of arbitration costs.

OTHER ISSUES CONSIDERED AND DECIDED

Upon review of the file and the representations made by the Claimant, the undersigned Panel determined that Respondent Brian Olton was properly served with the Statement of Claim and received due notice of the hearing, and that arbitration of the matter would proceed without said Respondent present, in accordance with the NASD Code of Arbitration Procedure (the "Code").

Respondents First Security Van Kasper and Brian Olton did not file with the NASD Dispute Resolution, Inc. properly executed submission agreements. However, Respondent First Security Van Kasper answered the claim and appeared and testified at the hearing. Further, both Respondents are required to submit to arbitration pursuant to the Code and are bound by the determination of the Panel on all issues submitted.

At the hearing, Respondent First Security Van Kasper stated that its successor is Wells Fargo Investments. All references hereafter to First Security Van Kasper shall be deemed to include Wells Fargo Investments.

During February, 2002, Claimant filed a motion requesting sanctions against both Respondents. During the hearing, Claimant withdrew its motion against Respondent First Security Van Kasper and the Panel denied Claimant's motion against Brian Olton.

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:

Respondents First Security Van Kasper and Brian Olton are jointly and severally liable to and shall pay Claimant the sum of \$107,256.00 in compensatory damages.

Respondents First Security Van Kasper and Brian Olton are jointly and severally liable to and shall pay Claimant interest in the amount of 10% per annum on \$107,256.00 from the date of the Award until the date compensatory damages are paid to Claimant.

Respondents First Security Van Kasper and Brian Olton are jointly and severally liable to and shall pay Claimant \$300.00 for reimbursement of Claimant's Arbitration Filing Fees.

Except as noted above, the parties shall bear their respective costs, including attorney's fees.

All other relief requested and 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	= \$ 300.00
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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 First Security Van Kasper is a party and the following fees are assessed:

Member Surcharge	= \$ 1,500.00
Pre-Hearing Process Fee	= \$ 600.00
<u>Hearing Process Fee</u>	<u>= \$ 2,500.00</u>
Total Member Fees	= \$ 4,600.00

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 Panel. The following fees are assessed:

One (1) Pre-hearing conference session with the Panel @ \$1,125.00/session	= \$ 1,125.00
Pre-hearing conference: February 7, 2002 1 session	
Two (2) Hearing sessions @ \$1,125.00/session	= \$ 2,250.00
Hearings: April 12, 2002 2 sessions	
Total Forum Fees	= \$ 3,375.00

The Panel assessed \$3,375.00 of the forum fees jointly and severally to Respondents First Security Van Kasper and Brian Olton.

Fee Summary

Claimant Catherine M. Mainini IRA, is charged with the following fees and costs:

<u>Initial Filing Fee</u>	= \$ 300.00
<u>Total Fees</u>	= \$ 300.00
<u>Less payments</u>	= \$(1,425.00)
Refund Due to Claimant	= \$(1,125.00)

Respondent First Security Van Kasper is charged with the following fees and costs:

<u>Member Fees</u>	= \$ 4,600.00
<u>Total Fees</u>	= \$ 4,600.00
<u>Less payments</u>	= \$(4,600.00)
Balance Due NASD Dispute Resolution, Inc.	= \$ 0.00

3. Respondents First Security Van Kasper and Brian Olton are charged jointly and severally with the following fees and costs:

<u>Forum Fees</u>	= \$ 3,375.00
<u>Total Fees</u>	= \$ 3,375.00
<u>Less payments by First Security Van Kasper</u>	= \$(600.00)
Balance Due NASD Dispute Resolution, Inc.	= \$ 2,775.00

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

ARBITRATION PANEL

<i>Allan Brotsky</i>	-	<i>Public Arbitrator, Presiding Chair</i>
<i>Thomas Patterson</i>	-	<i>Public Arbitrator</i>
<i>Stanford G. Hirata</i>	-	<i>Non-Public Arbitrator</i>

Concurring Arbitrators' Signatures

Allan Brotsky
Chair, Public Arbitrator

Signature Date

Thomas Patterson
Public Arbitrator

Signature Date

Stanford G. Hirata
Non-Public Arbitrator

Signature Date

May 14, 2002
Date of Service

ARBITRATION PANEL

<i>Allan Brotsky</i>	-	<i>Public Arbitrator, Presiding Chair</i>
<i>Thomas Patterson</i>	-	<i>Public Arbitrator</i>
<i>Stanford G. Hirata</i>	-	<i>Non-Public Arbitrator</i>

Concurring Arbitrators' Signatures

Allan Brotsky
Allan Brotsky
Chair, Public Arbitrator

5/10/02
Signature Date

Thomas Patterson
Public Arbitrator

Signature Date

Stanford G. Hirata
Non-Public Arbitrator

Signature Date

5/14/02
Date of Service

ARBITRATION PANEL

Allan Brotsky	.	Public Arbitrator, Presiding Chair
Thomas Patterson	-	Public Arbitrator
Stanford G. Hirata	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

Allan Brotsky
Chair, Public Arbitrator

Signature Date

Thomas Patterson
Public Arbitrator

Signature Date



Stanford G. Hirata
Non-Public Arbitrator

5/12/02

Signature Date

5/14/02

Date of Service