

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Name of the Claimant(s)

Jann K. Green

Case Number: 01-01836

Name of the Respondent(s)

A. G. Edwards & Sons, Inc.

Jeffrey Riley

Hearing Site: Houston, Texas

REPRESENTATION OF PARTIES

Claimant Jann K. Green hereinafter referred to as "Claimant": Joseph J. Hroch, Esq., Spencer & Associates, P.C., Houston, Texas.

Respondents A.G. Edwards & Son, Inc. ("A.G. Edwards") and Jeffrey G. Riley ("Riley"): Jeff Jamieson, Esq., A.G. Edwards & Sons, Inc. St. Louis, Missouri.

CASE INFORMATION

Statement of Claim filed on or about: April 26, 2001.

Claimant signed the Uniform Submission Agreement: April 17, 2001.

Joint Statement of Answer filed by Respondents A.G. Edwards and Riley on or about: June 12, 2001.

Respondent A.G. Edwards signed the Uniform Submission Agreement: May 8, 2001.

Respondent Riley signed the Uniform Submission Agreement: May 15, 2001.

CASE SUMMARY

Claimant asserted the following causes of action: breach of fiduciary duty, omissions misrepresentations, violation of federal statutory fraud, violation of state statutory law, breach of good faith and fair dealing, Violation of the Texas Deceptive Trade Practices Act and negligence and gross negligence. These causes of action relate to the purchase and sale of common stock.

Unless specifically admitted in the Statement of Answer, Respondents A.G. Edwards and Riley denied the allegations made in the Statement of Claim and asserted the following affirmative defenses: Claimant is barred from recovering from Respondents under the doctrines of ratification, account stated, estoppel, waiver and laches; failure to mitigate damages; failure to exercise due diligence; contributory negligence; assumption of risks; and failure to state a claim

upon which relief can be granted. Claimant is further barred from recovering from Respondents under Claimant's Client Agreement with A.G. Edwards

RELIEF REQUESTED

Claimant requested:

Compensatory Damages	\$ 90,000.00
Punitive Damages	Unspecified
Interest	Unspecified
Attorneys' Fees	Unspecified
Other Costs	Unspecified

Respondents A.G. Edwards and Riley request that the Statement of Claim be dismissed in its entirety, that the Claimants be ordered to pay Respondents' costs, that any and all reference to this matter be expunged from Riley's Central Registration Depository ("CRD") record and any other relief deemed just and proper.

OTHER ISSUES CONSIDERED AND DECIDED

Upon the Completion of Claimant's case Respondents moved to dismiss all causes of action. This motion was denied by the Panel.

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. Any and all Relief requested by Claimant Jann K. Green against Respondents, A.G. Edwards & Sons, Inc. and Jeffrey Gordon Riley is denied;
2. Any and all relief requested by Respondents Jeffrey Gordon Riley that all references to this arbitration be expunged from his Central Registration Depository (CRD) is denied.;
3. Except as otherwise specified herein, each party shall bear its own costs and attorney's fees;
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

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. Accordingly, A. G. Edwards & Sons, Inc., is a party to this matter.

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

Adjournment Fees

Adjournments requested during these proceedings:

Adjournment by Claimant Jann K. Green:

Hearing Dates: February 27- 28, 2002 = \$750.00

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:

One (1) Pre-hearing session with Panel @ \$750 = \$750.00
Pre-hearing conference: October 15, 2001

Seven (7) Hearing sessions @ \$750	= \$5,250.00
Hearing Date(s): June 25, 2002	2 sessions
June 26, 2002	3 sessions
June 27, 2002	2 sessions

Total Forum Fees = \$6,000.00

The Panel has assessed the \$5,625.00 of the forum fees against Respondents A.G. Edwards & Sons, Inc. and Jeffrey Gordon Riley jointly and severally.

The Panel has assessed the \$375.00 of the forum fees against Claimant Jann K. Green.

Fee Summary

1. Claimant Jann K. Green is solely liable for:	
Adjournment Fee	= \$ 750.00
Forum Fees	= \$ 375.00
Initial Filing Fee	= \$ 225.00
Total Fees	= \$ 1,350.00
Less payments	= \$ 975.00
Balance Due NASD Dispute Resolution	= \$ 375.00

2. Respondent A. G. Edwards & Sons Inc. Is solely liable for:
- | | |
|---|----------------------|
| Member Fees | = \$ 3,100.00 |
| Total Fees | = \$ 3,100.00 |
| <u>Less payments</u> | <u>= \$ 3,100.00</u> |
| Balance Due NASD Dispute Resolution, Inc. | = 00 |
3. Respondents A.G. Edwards & Sons, Inc. and Jeffrey Gordon Riley, are jointly and severally liable for:
- | | |
|---|----------------|
| Forum Fees | = \$ 5,625.00 |
| Total Fees | = \$ 5,625.00 |
| <u>Less payments</u> | <u>= \$ 00</u> |
| Balance Due NASD Dispute Resolution, Inc. | = \$ 5,625.00 |

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

ARBITRATION PANEL

Philip I. McConnell, Esq.	-	Public, Presiding Chair
Joseph J. Ligi	-	Public Arbitrator
Ruth E. Smith	-	Non-Public Arbitrator

Concurring Arbitrators' Signature(s)

Philip I. McConnell, Esq.
Public Arbitrator, Presiding Chairperson

Signature Date

Joseph J. Ligi
Public Arbitrator

Signature Date

Ruth E. Smith
Non-Public Arbitrator

Signature Date

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

08/02/02 15:02 FAX 312 236 9239

OFFICE OF DISPUTE RES

008/008

NACD Dispute Resolution

Arbitration No. 01-01830

Award Page 4

2. Respondent A. G. Edwards & Sons Inc. Is solely liable for:

Member Fees	= \$ 3,100.00
-------------	---------------

Total Fees	- \$ 3,100.00
------------	---------------

Less payments **= \$ 3,100.00**

Balance Due NASD Dispute Resolution, Inc.	= 00
---	------

3. Respondents A.G. Edwards & Sons, Inc, and Jeffrey Gordon Riley, are jointly and severally liable for:

Forum Fees	\$ 5,625.00
------------	-------------

Total Fees	= \$ 5,625.00
-------------------	----------------------

<u>Less payments</u>	\$ 00
----------------------	-------

Balance Due NASD Dispute Resolution, Inc.	= \$ 5,625.00
---	---------------

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

ARBITRATION PANEL

Phillip L. McConnell, Esq.	-	Public, Presiding Chair
Joseph J. Ligi	-	Public Arbitrator
Ruth E. Smith	-	Non-Public Arbitrator

Concurring Arbitrators' Signature(s)

Philip I. McConnell
Philip I. McConnell, Esq.
Public Arbitrator, Presiding Chairperson

6/3/02
Signature Date

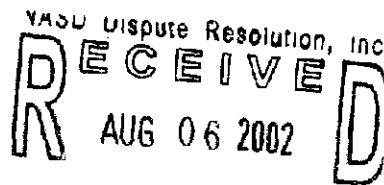
Joseph J. Ligi
Public Arbitrator

Signature Date

Ruth E. Smith
Non-Public Arbitrator

Signature Date:

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



2. Respondent A. G. Edwards & Sons Inc. Is solely liable for:

Member Fees	= \$ 3,100.00
Total Fees	= \$ 3,100.00
Less payments	= \$ 3,100.00
Balance Due NASD Dispute Resolution, Inc.	= 00

3. Respondents A.G. Edwards & Sons, Inc. and Jeffrey Gordon Riley, are jointly and severally liable for:

Forum Fees	= \$ 5,625.00
Total Fees	= \$ 5,625.00
Less payments	= \$ 00
Balance Due NASD Dispute Resolution, Inc.	= \$ 5,625.00

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

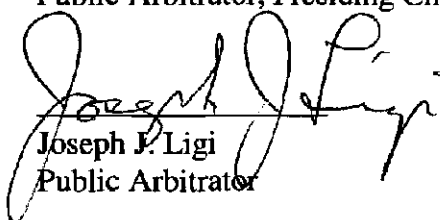
ARBITRATION PANEL

Philip I. McConnell, Esq.	-	Public, Presiding Chair
Joseph J. Ligi	-	Public Arbitrator
Ruth E. Smith	-	Non-Public Arbitrator

Concurring Arbitrators' Signature(s)

Philip I. McConnell, Esq.
Public Arbitrator, Presiding Chairperson

Signature Date


Joseph J. Ligi
Public Arbitrator

8-5-02
Signature Date

Ruth E. Smith
Non-Public Arbitrator

Signature Date

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

2. Respondent A. G. Edwards & Sons Inc. Is solely liable for:

Member Fees	= \$ 3,100.00
Total Fees	= \$ 3,100.00
<u>Less payments</u>	<u>= \$ 3,100.00</u>
Balance Due NASD Dispute Resolution, Inc.	= 00

3. Respondents A.G. Edwards & Sons, Inc. and Jeffrey Gordon Riley, are jointly and severally liable for:

Forum Fees	= \$ 5,625.00
Total Fees	= \$ 5,625.00
<u>Less payments</u>	<u>= \$ 00</u>
Balance Due NASD Dispute Resolution, Inc.	= \$ 5,625.00

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

ARBITRATION PANEL

Philip I. McConnell, Esq.	-	Public, Presiding Chair
Joseph J. Ligi	-	Public Arbitrator
Ruth E. Smith	-	Non-Public Arbitrator

Concurring Arbitrators' Signature(s)

Philip I. McConnell, Esq.
Public Arbitrator, Presiding Chairperson

Signature Date

Joseph J. Ligi
Public Arbitrator

Signature Date



Ruth E. Smith
Non-Public Arbitrator

8/4/02

Signature Date

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