

**Award
NASD**

In the Matter of the Arbitration Between:

Name of the Claimant
Richard Joseph McDermott

Case Number: 01-02366

Names of the Respondents
Matthew B. Meister
Kashner Davidson Securities Corporation
Doyle Scott Elliott

Hearing Site: Tampa, FL

REPRESENTATION OF PARTIES

For Richard Joseph McDermott, hereinafter referred to as "Claimant": Constantine W. Papas, Esq., Gray Harris Robinson Shackleford Farrior, Tampa, FL.

For Respondents Matthew B. Meister ("Meister") and Kashner Davidson Securities Corporation ("Kashner"): Richard J. Babnick, Jr., Esq., Sichenzia, Ross, Friedman & Ference LLP, New York, NY.

Respondent Doyle Scott Elliott ("Elliott") appeared pro se.

CASE INFORMATION

Statement of Claim filed on or about: May 1, 2001.

Claimant signed the Uniform Submission Agreement: March 6, 2001.

Statement of Answer filed by Respondents Meister, Kashner, and Elliott (hereinafter collectively referred to as "Respondents") on or about: July 18, 2001.

Respondent Meister signed the Uniform Submission Agreement: August 30, 2001.

Respondent Kashner signed the Uniform Submission Agreement: August 30, 2001.

Respondent Elliott did not file an executed Uniform Submission Agreement.

Motion to Dismiss the Statement of Claim ("Motion to Dismiss") filed by Respondents Meister and Kashner on or about: May 24, 2002.

Claimant's Opposition to Respondents' Kashner Davidson Securities Corporation and Matthew Meister's Motion to Dismiss the Statement of Claim filed on or about: June 7, 2002.

CASE SUMMARY

Claimant asserted the following causes of action: misrepresentation and omission of material fact in violation of federal securities laws; unauthorized trading; violation of the shingle theory; unsuitable recommendation in violation of federal securities laws; control person and respondeat superior liability; failure to supervise; and, violation of the Florida Securities and Investor Protection Act. The causes of action relate to the purchase and sale of eSafetyworld, Inc. stock in Claimant's account.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the

Statement of Claim and asserted various affirmative defenses including: Claimant was aware of all material risks concerning his investments and assumed the risk of those investments; Claimant ratified all trades in his account; and, Claimant failed to state a claim upon which relief can be granted.

RELIEF REQUESTED

Claimant requested compensatory damages of \$307,008.00, prejudgment interest, punitive damages of \$614,016.00, costs, attorneys' fees pursuant to the Florida Securities and Investor Protection Act, and such other relief as the undersigned arbitrators (the "Panel") deemed just and proper.

Respondents requested dismissal of the Statement of Claim, expungement of this matter from their NASD Central Registration Depository ("CRD") records, attorneys' fees, and such other and further relief as the Panel deemed just and proper.

OTHER ISSUES CONSIDERED AND DECIDED

On or about July 8, 2002, the Panel issued an order which denied Respondents Meister and Kashner's Motion to Dismiss.

Respondent Elliott did not attend the evidentiary hearing in this matter. Upon review of the file and the representations made by/on behalf of the Claimant, the Panel determined that Respondent Elliott 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 Respondent present, in accordance with the NASD Code of Arbitration Procedure (the "Code").

Respondent Elliott did not file with NASD a properly executed submission to arbitration 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.

The parties have agreed that the Award in this matter may be executed in counterpart copies.

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, and the post-hearing submissions (if any), the Panel has decided in full and final resolution of the issues submitted for determination as follows:

Claimant's Statement of Claim is dismissed, with prejudice, including Claimant's requests for relief pursuant to the Florida Securities and Investor Protection Act.

Claimant is liable and shall pay to Respondent Kashner attorneys' fees in an amount to be determined by a court of competent jurisdiction pursuant to the Florida Securities and Investor Protection Act as Claimant's claims were not credible.

The Panel recommends the expungement of all references to the above captioned arbitration from Respondent Meister's registration records maintained by the NASD CRD as Claimant's claims were unsubstantiated, with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, Respondent Meister must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.

Any and all claims for relief not specifically addressed herein, including Claimant's request for punitive damages, is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Initial claim filing fee	= \$375.00
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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	= \$2,000.00
Pre-hearing process fee	= \$600.00
Hearing process fee	= \$3,500.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

No requests for adjournment were filed in this matter.

Injunctive Relief Fees

Injunctive relief fees are assessed to each member or associated person who files for a temporary injunction in court. Parties in these cases are also assessed arbitrator travel expenses and costs when an arbitrator is required to travel outside his or her hearing location and additional arbitrator honoraria for the hearing for permanent injunction. These fees, except the injunctive relief surcharge, are assessed equally against each party unless otherwise directed by the Panel.

No injunctive relief fees were incurred in this matter.

Forum Fees and Assessments

The Panel has assessed forum fees for each session conducted. A 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 Panel @ \$1,200.00	= \$1,200.00
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Pre-hearing conference: November 15, 2001 1 session

Four (4) Hearing sessions @ \$1,200.00 = \$4,800.00

Hearing Dates: August 22, 2002 2 sessions

August 23, 2002 2 sessions

Total Forum Fees = \$6,000.00

The Panel has assessed the total forum fees of \$6,000.00 to Claimant.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but are not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

No administrative costs were incurred in this matter.

FEE SUMMARY

Claimant is solely liable for:

Initial Filing Fee	= \$375.00
Forum Fees	= \$6,000.00

Total Fees	= \$6,375.00
Less payments	= \$1,575.00

Balance Due NASD	= \$4,800.00
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Respondent Kashner is solely liable for:

Member Fees	= \$6,100.00
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Total Fees	= \$6,100.00
Less payments	= \$6,100.00

Balance Due NASD	= \$0.00
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All balances are payable to NASD and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

James P. Ryan	-	Public Arbitrator, Presiding Chair
Mary A. Cardillo	-	Public Arbitrator
Chester Barry White, PhD	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

/s/

James P. Ryan
Public Arbitrator, Presiding Chair

Signature Date

Mary A. Cardillo
Public Arbitrator

Signature Date

/s/

Chester Barry White, PhD
Non-Public Arbitrator

Signature Date

October 1, 2002

Date of Service (For NASD office use only)

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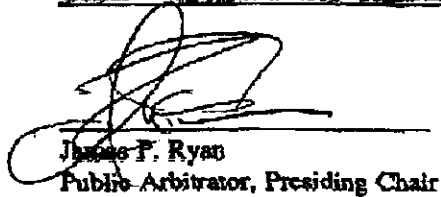
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Concurring Arbitrators' Signatures


James P. Ryan
Public Arbitrator, Presiding Chair

OCTOBER 1, 2002
Signature Date

Mary A. Cardillo
Public Arbitrator

Signature Date

Chester Barry White, PhD
Non-Public Arbitrator

Signature Date

Date of Service (For NASD office use only)

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Concurring Arbitrators' Signatures

James P. Ryan
Public Arbitrator, Presiding Chair

Signature Date

Mary A. Cardillo
Public Arbitrator

Signature Date

Chester Barry White

Chester Barry White, PhD
Non-Public Arbitrator

10/1/02

Signature Date

Date of Service (For NASD office use only)