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PCX ARBITRATION

PACIFIC EXCHANGE, INC.  
115 Sansome Street  
San Francisco, CA 94104

In The Matter Of The Arbitration Between:

DAVID AND LOIS JOHNSON,

Claimants,

v.

FIRST UNION SECURITIES, INC.  
ET AL.,

Respondents.

PCX CASE #: 02-S021

DECISION

The undersigned Arbitrators, having read and considered the Claim submitted by Claimants and the Answer of Respondents, and having considered evidence presented at the hearings on March 28-30, 2005, hereby render the following Decision pursuant to Rule 12 of the Pacific Exchange:

**REPRESENTATION OF PARTIES**

Of Claimants: Richard Sacks, Representative

Of Respondents: Timothy Will, Esq. Of Albert & Will

**SUMMARY OF FACTS**

Claimants alleged inappropriate investments in junk bonds; Respondents denied the allegation.

**ISSUES PRESENTED**

Did Respondents inappropriately recommend junk bonds to Claimants? There was no counterclaim.

**RELIEF REQUESTED**

Claimants sought \$159,000 in relief.

## **FINDINGS AND DECISION**

### **A. Findings of fact:**

**The Panel made no findings because the matter settled before deliberations.**

### **B. Decision:**

**The Panel made no decision because the matter settled before deliberations.**

### **C. Award:**

**There was no award because the matter settled before deliberations by the Panel.**

### **D. Other determinations:**

- 1. Parties shall bear their own costs of this arbitration.**
- 2. The panel, by majority vote, recommends the expungement of all reference to the above-captioned arbitration from Respondents Doug Wulbrecht's and Joseph Dragoman's registration records maintained by the Central Registration Depository ("CRD"), with the understanding that Respondents must obtain confirmation from a court of competent jurisdiction before CRD will execute the expungement directive. Chairperson Robert M. Smith, Esq., dissents from the expungement recommendation.**

### **E. Forum Fees:**

**Forum Fees in the amount of \$3,750.00 are owed to the Pacific Exchange. Claimants are responsible for 50% of the fees and Respondents are responsible for 50%.**

**Dated: \_\_\_\_\_**

**\_\_\_\_\_  
Robert M. Smith, Chair**

**Dated: 4/05/05**

**Joseph Berzok  
Joseph Berzok, Public Arbitrator**

**Dated: \_\_\_\_\_**

**\_\_\_\_\_  
Jane Gundermann, Industry Arbitrator**

DATED: 4/4/05

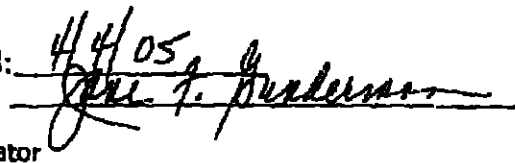


Robert M. Smith, Chair

Dated: \_\_\_\_\_

\_\_\_\_\_

Joseph Berzok, Public Arbitrator

Dated: 4/4/05  


Arbitrator

Jane Gundermann, Industry