

**STIPULATED AWARD
NASD Dispute Resolution**

In the Matter of the Arbitration Between

Name of Claimant

Marion C. Bruzina

and

Case Number: 03-04375
Hearing Site: Detroit, Michigan

Names of Respondents

Washington Square Securities, Inc.,
The Tilchen Corporation, and
Alan S. Tilchen

NATURE OF CASE

Customer v. Member, Non-Member and Associated Person

REPRESENTATION OF PARTIES

Marion C. Bruzina ("Claimant") was represented by Laurence S. Schultz, Esq., Driggers, Schultz & Herbst, P.C., Troy, Michigan.

Washington Square Securities, Inc. ("WSSI"), The Tilchen Corporation ("TTC"), and Alan S. Tilchen ("Tilchen") were represented by Melvin G. Moseley, Jr., Esq., and Brian M. Andrew, Esq., Warner Norcross & Judd LLP, Grand Rapids, Michigan.

CASE INFORMATION

The Statement of Claim was filed on or about June 16, 2003. The Submission Agreement of Claimant, Marion C. Bruzina, was signed on or about May 28, 2003.

The Statement of Answer was filed jointly by Respondents, WSSI, TTC, and Tilchen, on or about August 14, 2003. The Submission Agreement of Respondent, Washington Square Securities, Inc., was signed on or about August 14, 2003. The Submission Agreement of Respondent, Alan S. Tilchen, was signed on or about August 4, 2003.

Respondents filed a Motion to Dismiss on or about June 9, 2004. Claimant filed a Response on or about July 14, 2004. Respondents filed a Reply to Claimant's Response on or about July 29, 2004.

CASE SUMMARY

Claimant asserted the following causes of action: breach of fiduciary duty; misrepresentation; breach of contract; violation of NASD rules; and respondeat superior. The causes of action related to suitability of various securities in Claimant's accounts including Templeton Growth Fund 2, MFS Capital Opportunities Class B, MFS MA Investors Growth Class B, and Securities Distributors Equity Class B.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted affirmative defenses including the following: Claimant failed to state a claim for which relief may be granted; Claimant's claims are barred by the applicable statute of limitations; Claimant's claims are barred by the doctrines of estoppel, laches, or waiver; Claimant's claims are barred based on her comparative negligence or failure to mitigate damages; and Claimant knowingly assumed the risks of the trading strategy she adopted.

RELIEF REQUESTED

Claimant requested an award in an amount in excess of \$130,000, plus interest, costs, attorneys' fees, punitive/exemplary damages and any other relief the panel deemed appropriate.

Respondents requested that the claims asserted against them be dismissed in their entirety, that they be awarded their costs and attorneys' fees, and that all references to this matter be expunged from Respondent Tilchen's CRD records.

OTHER ISSUES CONSIDERED & DECIDED

Respondent, The Tilchen Corporation, did not file with the NASD Dispute Resolution a properly executed submission to arbitration but having voluntarily submitted to NASD jurisdiction, answered the claim, and appeared and testified through counsel at the pre-hearing conferences is bound by the determination of the arbitration panel on all issues submitted.

On August 26, 2004, Claimant, pursuant to a settlement agreement, agreed to withdraw all claims filed against Respondents and stipulated to their dismissal with prejudice.

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. In either case, the parties have agreed to receive conformed copies of the award while the original(s) remain on file with the NASD Dispute Resolution (the "NASD").

AWARD

After considering the parties' submissions and representations, but without making any findings of fact or conclusions of law, the undersigned arbitrators order as follows:

- 1.) Claimant's claims, having been withdrawn, are dismissed with prejudice;
- 2.) Other than Forum Fees which are specified below, the parties shall each bear their own costs and expenses incurred in this matter;
- 3.) The panel recommends the expungement of all reference to the above captioned arbitration from Respondent Alan S. Tilchen's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notice to Members 99-09, Respondent Alan S. Tilchen must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive; and
- 4.) Any relief not specifically enumerated, including punitive damages and attorney fees, is hereby denied with prejudice.

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

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. In this matter, the member firm is Washington Square Securities, Inc.

Member surcharge = \$ 1,700.00
Pre-hearing process fee = \$ 750.00
Hearing process fee = \$ 2,750.00

Three-Day Cancellation Fees

Fees apply when a hearing on the merits is postponed or settled within three business days before the start of a scheduled hearing session:

NASD received notice of settlement on August 27, 2004 = \$ 300.00
(Hearing dates were scheduled on August 31-September 3, 2004)

Forum Fees and Assessments

The Arbitration Panel assesses forum fees for each hearing session conducted. A hearing 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:

Two (2) Pre-hearing sessions with Panel x \$1,125.00	= \$ 2,250.00
Pre-hearing conferences: April 7, 2004 1 session	
August 2, 2004 1 session	
Total Forum Fees	= \$ 2,250.00

The Arbitration Panel has assessed \$1,125.00 of the forum fees to Marion C. Bruzina. The Arbitration Panel has assessed \$1,125.00 of the forum fees jointly and severally to Washington Square Securities, Inc., The Tilchen Corporation, and Alan S. Tilchen.

FEE SUMMARY

Claimant, Marion C. Bruzina, is liable for:

Initial Filing Fee	= \$ 300.00
Three-Day Cancellation Fee	= \$ 150.00
Forum Fees	= \$ 1,125.00
Total Fees	= \$ 1,575.00
Less payments	= \$ 1,425.00
Balance Due NASD Dispute Resolution	= \$ 150.00

Respondent, Washington Square Securities, Inc., is liable for:

Member Fees	= \$ 5,200.00
Total Fees	= \$ 5,200.00
Less payments	= \$ 5,200.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondents, Washington Square Securities, Inc., The Tilchen Corporation, and Alan S. Tilchen, are jointly and severally liable for:

Three-Day Cancellation Fee	= \$ 150.00
Forum Fees	= \$ 1,125.00
Total Fees	= \$ 1,275.00
Less payments	= \$ 750.00
Balance Due NASD Dispute Resolution	= \$ 525.00

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

ARBITRATION PANEL

Thomas C. Wagner, Esq. - Public Arbitrator, Presiding Chair
Harvey Frank - Public Arbitrator
Gary C. Peters, Esq. - Non-Public Arbitrator

Concurring Arbitrators:

/s/ Thomas C. Wagner, Esq.
Thomas C. Wagner, Esq.
Public Arbitrator, Presiding Chair

10/18/04
Signature Date

/s/ Harvey Frank
Harvey Frank
Public Arbitrator

10/09/04
Signature Date

/s/ Gary C. Peters, Esq.
Gary C. Peters, Esq.
Non-Public Arbitrator

10/27/04
Signature Date

10/27/04
Date of Service (For NASD office use only)

ARBITRATION PANEL

Thomas C. Wagner, Esq. - Public Arbitrator, Presiding Chair
Harvey Frank - Public Arbitrator
Gary C. Peters, Esq. - Non-Public Arbitrator

Concurring Arbitrators:

Thomas C. Wagner, Esq.
Public Arbitrator, Presiding Chair

Signature Date

Harvey Frank

Harvey Frank
Public Arbitrator

10/9/04

Signature Date

Gary C. Peters, Esq.
Non-Public Arbitrator

Signature Date

Date of Service (For NASD office use only)

10/28/2004 13:18 FAX

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Thomas C. Wagner, Esq. - Public Arbitrator, Presiding Chair
Harvey Frank - Public Arbitrator
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Public Arbitrator, Presiding Chair

Signature Date

Harvey Frank
Public Arbitrator

Signature Date



Gary C. Peters, Esq.
Non-Public Arbitrator

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Signature Date

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Harvey Frank - Public Arbitrator
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Concurring Arbitrators:



Thomas C. Wagner, Esq.
Public Arbitrator, Presiding Chair

10/18/09

Signature Date

Harvey Frank
Public Arbitrator

Signature Date

Gary C. Peters, Esq.
Non-Public Arbitrator

Signature Date

Date of Service (For NASD office use only)