

Stipulated Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Nelson Bunker Hunt, (Claimant) v. Gilford Securities, Inc., Otis Bradley, and Steven Fisher,
(Respondents)

Case Number: 04-03316

Hearing Site: Dallas, TX

REPRESENTATION OF PARTIES

Claimant, Nelson Bunker Hunt ("Hunt"), hereinafter referred to as "Claimant": Richard A. Sayles, Esq., and Will Snyder, Esq., Sayles & Werbner, Dallas, TX.

Respondents, Gilford Securities, Inc. ("Gilford"), Otis Bradley ("Bradley") and Steven Fisher ("Fisher"), hereinafter collectively referred to as "Respondents": Michael Kalmus, Esq., Law Office of Michael Kalmus, New York, NY.

CASE INFORMATION

Statement of Claim filed on or about: May 7, 2004

Claimant signed the Uniform Submission Agreement: May 7, 2004

Statement of Answer with Counterclaim filed by Respondents on or about: June 25, 2004

Respondents signed the Uniform Submission Agreement: June 25, 2004

CASE SUMMARY

Claimant asserted the following causes of action: common law fraud, state securities fraud, deceptive trade practices, negligence, breach of fiduciary duty. The causes of action relate to the purchase of Vaso Active stock.

Unless specifically admitted in its Answer, Respondents denied the allegations of wrongdoing set forth in the Statement of Claim and asserted the following defenses: Claimant, an experienced businessman, fully appreciated the risks associated with investments in Vaso Active stock before he chose to purchase the stock. Respondents also asserted a counterclaim against the Claimant for a margin debit balance of approximately \$1.7 million resulting from Claimant's purchase of Vaso Active stock on margin.

RELIEF REQUESTED

Claimant requested compensatory damages in an unspecified amount, a declaratory judgment that he was not liable for the \$1.7 million margin balance, and costs and expenses.

Respondents requested dismissal of the Statement of Claim in its entirety and judgment on the counterclaim in the amount of \$1.7 million.

OTHER ISSUES CONSIDERED AND DECIDED

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

On March 5, 2005, the parties entered into an agreement to present to the Panel a Stipulated Award. Now, in lieu of a hearing and upon motion of both parties for entry of an Award, and the written stipulation there, the Panel grants the motion and enters this award granting the following relief:

1. The parties have entered into a confidential settlement agreement.
2. The parties have dismissed all claims with prejudice.
3. The parties shall bear their own costs and attorney's fees.
4. Pursuant to NASD Rule 2130, the Panel finds that: the claim, counterclaim, allegation, or information is factually impossible or clearly erroneous. Therefore, the Panel recommends the expungement of all reference to the above captioned arbitration from Respondents Otis Bradley's and Steven Fisher's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notices to Members 99-09, 99-54 and 04-16, Respondents Bradley and Fisher must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.
5. All other requests for relief are hereby denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution, Inc. will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee	= \$ 500.00
Counterclaim filing fee	= \$ 2,000.00

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 persons at the time of the events giving rise to the dispute. In this matter, the member firm, Gilford Securities Incorporated, is a party and the following member fees are assessed:

Member Surcharge	= \$ 2,800.00
Pre-Hearing Process Fee	= \$ 750.00
<u>Hearing Process Fee</u>	<u>= \$ 5,000.00</u>
Total Member Fees	= \$ 8,550.00

Forum Fees and Assessments

The 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. Forum fees associated with these proceedings are:

One (1) Pre-hearing conference session with the Panel @ \$1,200.00	= \$ 1,200.00
<u>Pre-hearing conference: September 29, 2004 1 session</u>	<u></u>
Total Forum Fees	= \$ 1,200.00

The Panel has assessed \$600.00 of the forum fees against Claimant, Nelson Bunker Hunt, and has assessed \$600.00 of the forum fees jointly and severally against Respondents Gilford Securities, Inc., Otis Bradley, and Steven Fisher.

FEE SUMMARY

Claimant Nelson Bunker Hunt is solely liable for:

Initial Filing Fee	= \$ 500.00
Forum Fees	= \$ 600.00
Total Fees	= \$ 1,100.00
Less payments	= \$ 1,700.00
Balance Refunded by NASD Dispute Resolution	= \$ 600.00

Respondent Gilford Securities, Inc. be and hereby is solely liable for:

Counterclaim Filing Fee	= \$ 2,000.00
Member Fees	= \$ 8,550.00
Total Fees	= \$10,550.00
Less payments	= \$10,550.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondents Gilford Securities, Inc., Otis Bradley, and Steven Fisher are jointly and severally liable for:

Forum Fees	= \$ 600.00
Less payments	= \$ 1,200.00
Balance Refunded by NASD Dispute Resolution	= \$ 600.00

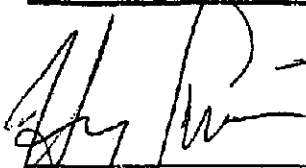
All balances are due and payable to NASD Dispute Resolution.

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ARBITRATION PANEL

Harry J. Saginaw, JD - Public Arbitrator, Presiding Chair
Joe S. Shepherd - Public Arbitrator
W. Donald Parr - Industry Arbitrator

Concurring Arbitrators' Signatures



Harry J. Saginaw, JD
Public Arbitrator, Presiding Chair

4-6-05
Signature Date

Joe S. Shepherd
Public Arbitrator

Signature Date

W. Donald Parr
Industry Arbitrator

Signature Date

4/8/05 
Date of Service (For NASD office use only)

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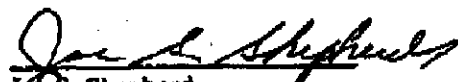
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Joe S. Shepherd - Public Arbitrator
W. Donald Parr - Industry Arbitrator

Concurring Arbitrators' Signatures

Harry J. Saginaw, JD
Public Arbitrator, Presiding Chair

Signature Date


Joe S. Shepherd
Public Arbitrator

April 4, 2005
Signature Date

W. Donald Parr
Industry Arbitrator

Signature Date

4/8/05 WDM
Date of Service (For NASD office use only)

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Public Arbitrator, Presiding Chair

Signature Date

Joe S. Shepherd
Public Arbitrator

Signature Date

W. Donald Parr
Industry Arbitrator

4/5/05

Signature Date

4/8/05 MM

Date of Service (For NASD office use only)