
Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Names of the Claimants

Mary and Max Angel JTEN
Dawson Industries, Inc.

Case Number: 04-03475

Names of the Respondents

Ohio Savings Securities, Inc.
Justina Hook

Hearing Site: Boca Raton, Florida

Nature of the Dispute: Customer vs. Member and Associated Person.

REPRESENTATION OF PARTIES

Mary and Max Angel JTEN and Dawson Industries, Inc., hereinafter collectively referred to as "Claimants", appeared pro se.

For Ohio Savings Securities, Inc. ("OSS") and Justina Hook ("Hook"), hereinafter collectively referred to as "Respondents": JoAnne Burnett, Esq., Becker & Poliakoff, P.A., Fort Lauderdale, Florida.

CASE INFORMATION

Statement of Claim filed on or about: May 13, 2004.

Claimants signed the Uniform Submission Agreement: May 25, 2004.

Motion to Dismiss and/or Motion for Clarification filed by Respondents on or about: November 5, 2004.

Respondent OSS signed the Uniform Submission Agreement: September 30, 2004.

Respondent Hook signed the Uniform Submission Agreement: November 5, 2004.

Response to Motion to Dismiss and/or Motion for Clarification filed by Claimants on or about: November 24, 2004

First Amended Statement of Claim filed by Claimants on or about: March 23, 2005.

Motion to Dismiss (second Motion to Dismiss) filed by Respondents on or about April 26, 2005.

Response to Motion to Dismiss (second Motion to Dismiss) filed by Claimants on or about: May 6, 2005.

Second Amended Statement of Claim filed by Claimants on or about: June 17, 2005.

Motion to Dismiss (third Motion to Dismiss) filed by Respondents on or about: July 14, 2005.

Response to Motion to Dismiss (third Motion to Dismiss) filed by Claimants on or about: July 19, 2005.

CASE SUMMARY

Claimants asserted the following causes of action: 1) misrepresentation; and, 2) omissions. The causes of action relate to the purchase of various, unspecified securities in Claimants' accounts.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimants Max and Mary Angel JTEN requested compensatory damages, as amended, in the amount of \$6,910.95, punitive damages in the amount of \$200,000.00 and an award of other relief. Claimant Dawson Industries, Inc. requested compensatory damages, as amended, in the amount of \$6,542.85, punitive damages in the amount of \$200,000.00 and an award of other relief.

Respondents requested that the Statement of Claim, as amended, be dismissed in its entirety and an award of such other and further relief as this Panel deemed just and proper.

OTHER ISSUES CONSIDERED AND DECIDED

On or about January 21, 2005, pursuant to Respondents' Motion for Clarification of the Statement of Claim, the Panel issued an Order that allowed Claimants 45 days to file an Amended Statement of Claim. On or about March 7, 2005, Claimants filed a request to the Panel asking for an additional 45 days to file their Amended Statement of Claim. The Panel granted Claimants' request. Thereafter, on or about March 24, 2005, Claimants filed their Amended Statement of Claim.

On or about April 26, 2005, Respondents filed their Motion to Dismiss (second Motion to Dismiss) in response to Claimants' Amended Statement of Claim. Respondents asserted that Claimants had failed to state a cognizable or recognizable cause of action and failed to demonstrate they had suffered any losses.

On or about May 12, 2005, the Panel issued an Order that denied Respondents' Motion to Dismiss (second Motion to Dismiss) and stated that Claimants shall file another Amended Statement of Claim by July 15, 2005 in a clear and concise manner affording Respondents the ability to defend the allegations. Thereafter, on or about June 17, 2005, Claimants filed their Second Amended Statement of Claim and, in response, Respondents filed their Motion to Dismiss (third Motion to Dismiss). Claimants filed their response to Respondents' Third Motion to Dismiss on or about July 19, 2005. On July 22, 2005, the Panel issued an Order granting Respondents' Third Motion to Dismiss.

The parties have agreed that the Award in this matter may be entered in counterpart copies or that a signed handwritten Award may be entered.

AWARD

After considering the pleadings, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

Respondents' Third Motion to Dismiss is granted and Claimants' claims are dismissed, with prejudice.

Claimants' request for punitive damages is dismissed, with prejudice.

The parties shall be responsible for their own costs and fees.

Any and all claims for relief not specifically addressed herein are denied.

FEES

Pursuant to the NASD Code of Arbitration Procedure (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
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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 that employed the associated person at the time of the events giving rise to the dispute. Accordingly, OSS is a party to this dispute and was a member of NASD at the time the following fees were assessed:

Member surcharge	= \$1,700.00
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Pre-hearing process fee	= \$ 750.00
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Adjournment Fees

No requests for adjournments were filed in this matter.

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:

No cancellation fees were assessed in this matter.

Injunctive Relief Fees

No injunctive relief fees were incurred during this proceeding.

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:

Two (2) Pre-hearing sessions with the Panel @ \$1,125.00 per session	= \$2,250.00
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Pre-hearing conferences:	January 21, 2005	1 session
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	May 12, 2005	1 session
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Total Forum Fees	= \$2,250.00
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The Panel has assessed \$1,125.00 of the forum fees jointly and severally to Claimants.

The Panel has assessed \$1,125.00 of the forum fees jointly and severally to Respondents.

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 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 during this proceeding.

Fee Summary

Claimants are jointly and severally liable for:

Initial Filing Fee	= \$ 300.00
<u>Forum Fees</u>	<u>= \$ 1,125.00</u>
Total Fees	= \$ 1,425.00
<u>Less payments</u>	<u>= \$ 1,425.00</u>
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondent OSS is solely liable for:

<u>Member Fees</u>	<u>= \$ 2,450.00</u>
Total Fees	= \$ 2,450.00
<u>Less payments</u>	<u>= \$ 2,450.00</u>
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondents are jointly and severally liable for:

<u>Forum Fees</u>	<u>= \$1,125.00</u>
Total Fees	= \$1,125.00
<u>Less payments</u>	<u>= \$ 0.00</u>
Balance Due NASD Dispute Resolution	= \$1,125.00

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

ARBITRATION PANEL

Michael A. Levin, Esq.	-	Public Arbitrator, Presiding Chairperson
Gary M. Landau, Esq.	-	Public Arbitrator
Michele Y. Garelick	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

/s/
Michael A. Levin, Esq.
Public Arbitrator, Presiding Chairperson

07/25/05
Signature Date

NASD Dispute Resolution

Arbitration No. 04-03475

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/s/

Gary M. Landau, Esq.
Public Arbitrator

07/25/05

Signature Date

/s/

Michele Y. Garelick
Non-Public Arbitrator

07/26/05

Signature Date

07/26/05

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

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Respondents are jointly and severally liable for:

Forum Fees	= \$ 1,125.00
Total Fees	= \$ 1,125.00
Less payments	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$ 1,125.00

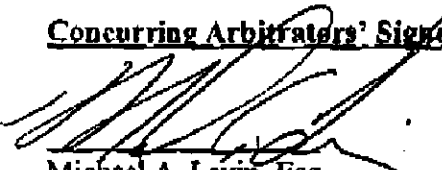
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ARBITRATION PANEL

Michael A. Levin, Esq.
Gary M. Landau, Esq.
Michele V. Garelick

- Public Arbitrator, Presiding Chairperson
- Public Arbitrator
- Non-Public Arbitrator

Concurring Arbitrators' Signatures

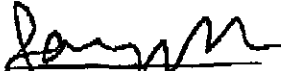

Michael A. Levin, Esq.
Public Arbitrator, Presiding Chairperson

7-25-05
Signature Date

FROM :NASD

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Gary M. Landau, Esq.
Public Arbitrator

7/25/05

Signature Date


Michele Y. Garelick
Non-Public Arbitrator

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Gary M. Landau, Esq.
Public Arbitrator



Michele Y. Garelick
Non-Public Arbitrator

Signature Date



Signature Date

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