

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of Arbitration Between)	
)	
DANIEL F. WITHALL and DANIEL E. WITHALL)	
D.V.M., P.C.)	
Claimants)	NASD NO. 88-00305
v.)	
LINDA L. SOKOL and WADDELL & REED, IN.)	
Respondents)	

CASE SUMMARY

Daniel F. Withall and Daniel F. Withall, D.V.M., P.C. ("Claimants") alleged that Linda Sokol, who was his bookkeeper and also a registered representative with Waddell & Reed (Sokol and Waddell & Reed are referred collectively with herein as "Respondents"), misrepresented the term and return of two Liberty Real Estate Limited Partnership programs.

Respondents denied the claims of the Claimant.

RELIEF REQUESTED

Claimant requested damages in the amount equal to the purchase price \$28,000.00 plus 6% interest, or in the alternative \$19,320.00.

Respondents requested that the claims of the Claimant be dismissed.

AWARD

On December 1, 1988 the Claimant filed his claim with the NASD. On May 2, 1990 during a hearing in Chicago, Illinois lasting two sessions, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed on October 13, 1988 by Claimant Daniel F. Withall, on January 30, 1989 by Rodney O. McWhinney on behalf of Respondent Waddell & Reed, Inc., and on January 26, 1989 by Respondent Linda L. Sokol.

The arbitration panel, having considered the pleadings, the testimony, and the evidence presented at the hearing, has decided in full and final resolution of the issues submitted for determination as follows:

1. Linda L. Sokol is liable for and shall pay to the Claimant Four Thousand Dollars and No Cents (\$4,000.00);
2. The claims asserted against Waddell and Reed, Inc. by the Claimants are hereby dismissed;
3. The parties shall bear their own attorneys' fees and costs of this proceeding;

4. Pursuant to Section 43(b) of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain as forum fees the \$400.00 filing fee previously deposited with the NASD by the Claimant and Linda L. Sokol shall pay to the NASD \$400.00 as forum fees.

BY THE PANEL

Dated: May 9, 1990

/s/ G. Gale Roberson, Jr.
G. Gale Roberson, Jr., Esq.
Presiding Chair

Dated: _____

/s/ _____
Jeffrey L. Fisher, Esq.

Dated: _____

/s/ _____
Mr. Charles E. Staley

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BY THE PANEL

Dated: _____

/S/ _____
G. Gale Roberson, Jr., Esq.
Presiding Chair

Dated: May 9, 1990

/S/ Jeffrey L. Fisher
Jeffrey L. Fisher, Esq.

Dated: _____

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BY THE PANEL

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G. Gale Roberson, Jr., Esq.
Presiding Chair

Dated: _____

/s/ _____
Jeffrey L. Fisher, Esq.

Dated: _____

/s/ Charles E. Staley
Mr. Charles E. Staley