

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Arbitration Matter Between	}	CASE NO. 88-01557
JOHN C. DAVIS		
Claimant		
v.		
A. G. EDWARDS & SONS, INC. AND BILL STIGALL		
Respondents		

CASE SUMMARY

Claimant ("Davis") alleged that Respondents, A. G. Edwards & Sons, Inc. and Mr. Bill Stigall failed to properly execute his order of October 15, 1987 to sell all of his mutual funds which were being held in four IRS Rollover Accounts and place the proceeds in money market accounts. Respondent alleged that on October 16, 1987 Davis authorized that all Davis investments would be transferred into Investment Portfolio, Inc.'s Money Market Fund. Respondents stated that Davis' instructions were transmitted to Portfolio's, Inc. in such manner as authorized in the Custodial Account Agreement, the Claimant assumed the risk of investing the securities, and Davis' damages were caused by market factors beyond Respondents' control.

RELIEF REQUESTED

Davis' requested damages of \$22,500.52 plus interest. Respondent requested the dismissal of all the Claimants claims.

PROCEDURAL SUMMARY

Davis filed his claim with the NASD on May 13, 1988 and Respondents filed their answer on August 24, 1988. On June 13, 1989 at the J. W. Marriott Hotel in Houston, Texas, the arbitrators heard the controversy between the parties set forth in the submissions to the Arbitration signed by Davis on April 12, 1988, by Bill Stigall on August 16, 1988 and by Stephen G. Sneeringer on August 22, 1988, on behalf of A. G. Edwards.

AWARD

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

The panel awards damages of \$22,500.52 plus interest of \$2,400.00 to Davis against Respondent A. G. Edwards & Sons, Inc. The claim against Bill Stigall is hereby dismissed. Davis shall be refunded his \$400.00 deposit by the NASD and Respondent A. G. Edwards & Sons, Inc. is assessed forum costs in the amount of \$400.00 payable to NASD through its staff counsel. Each of the parties shall bear their respective costs including attorney's fees.

Arbitrators Concurring

Dated 7-11-89

/S/ Gerald Siegmyer, Esq.
Presiding Chair

Dated 7-13-89

/S/ Eugene L. Butler

Dated 7-17-89

/S/ Thomas W. Taylor

Date Served: 7-25-89