

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Roger Gay Smith

Claimant(s)

vs.

J.W. Gant & Associates, Inc.

Respondent(s)

NOTICE OF ARBITRATION
AWARD
88-03960

CASE SUMMARY

Claimant alleges Respondent failed to buy an additional 500 shares of MCR Capital as ordered but instead sold Claimant's existing 500 shares. Respondent defends on the basis that it has re-purchased the 500 shares erroneously sold.

RELIEF REQUESTED

Claimant(s) Roger Gay Smith requested damages of One Thousand Seven Hundred Eighty Two Dollars and No Cents (\$1,782.00). Respondent(s) requested dismissal of claim and costs.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, Langdon T. Owen, Jr., Esq., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant(s) on December 27, 1988 and by Respondent(s) on May 31, 1989. The Arbitrator, having considered the proofs of the parties, has determined in full and final resolution of the issue submitted for determination as follows:

Respondent shall deliver the 500 shares of MCR Capital, Inc. to Claimant without fee, cost, or expense to Claimant.

The parties shall each bear their respective costs including attorney's fees.

July 28, 1989