

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Edgar Lepage

Claimant(s)

vs.

Don Arbital

Respondent(s)

NOTICE OF  
ARBITRATION  
AWARD  
89-00977

CASE SUMMARY

Claimant(s) Edgar Lepage alleged that Respondent(s) Don Arbital failed to execute a sell order. Respondent(s) maintain that Claimant requested that all his positions be sold at "dream-like" prices. Respondent then advised Claimant that he should have forwarded his certificate, which he did after quite some time.

RELIEF REQUESTED

Claimant(s) Edgar Lepage requested damages of Nine Hundred Fifty Dollars and No Cents (\$950.00). 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, Deena J. Powell, 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 March 14, 1989 and by Respondent(s) on November 15, 1989, respectively;

And, that the Arbitrator, having considered the proofs of the Parties, including any additional documentary submissions of the Claimant(s) and the Respondents(s) has decided and determined in full and final resolution of the issue submitted for determination as follows:

The claim of the Claimant is hereby dismissed in its entirety.

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

The \$15.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be retained by the NASD as costs of this proceeding.

March 13, 1990

Note: Fill out only those sections which apply to this particular case: Case Number 89-00977

- 1) Case Dismissed ✓
- 2) Find for the Claimant  
(a) total amount of the award: \$ \_\_\_\_\_  
(b) if two or more respondents are liable: \_\_\_\_\_  
    (1) joint and severally liable: yes \_\_\_\_\_ no \_\_\_\_\_  
    (2) if respondents separately liable  
        list party and the amounts: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 3) Counterclaim of Respondent  
(a) total amount of award: \$ \_\_\_\_\_  
(b) party to receive award: \_\_\_\_\_  
(c) counterclaim dismissed: \_\_\_\_\_
- 4) Punitive Damages  
(a) total amount \$ \_\_\_\_\_  
(b) name parties against whom damages are to be assessed and in what amounts: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- (c) claim dismissed: \_\_\_\_\_
- 5) NASD Fee  
(a) assessed against Claimant ✓  
(b) assessed against Respondent
- 6) Use this space to expand or clarify any part of the decision above or to indicate other forms of specific relief.

Affirmation

STATE OF Virginia

COUNTY OF Prince William

I, Deena Powell

, do hereby affirm upon my oath as arbitrator that I am the individual described in and who executed this instrument, which is my oath and award.

March 8, 1990

(DATE)

Deena Powell

(SIGNATURE OF ARBITRATOR)

} SS: 463-61-0980  
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