

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Louis A. Bransford
Mary K. Bransford

Claimants

vs.

Nicholas Zahareas

Respondent

CASE #89-01091
AWARD

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on April 10, 1989 Claimants Louis A. and Mary K. Bransford alleged that Respondent Nicholas Zahareas, while a registered representative, engaged in unauthorized trading and fraud by purchasing 4000 shares of stock on margin for the Claimant's account without authority to do so and by refusing to sell that and other stock when directed to do so, thereby damaging the Claimants. Respondent Nicholas Zahareas maintained that many of the allegations are inaccurate and further maintained the documentation necessary to defend and/or refute claims are not available for legal reasons.

RELIEF REQUESTED

Claimants Louis A. and Mary K. Bransford requested damages of \$39,937.00 plus interest. Respondent Nicholas Zahareas requested he be allowed to exercise his legal privileges.

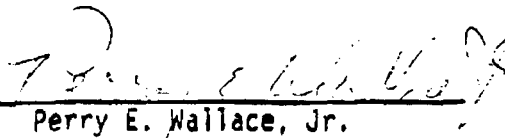
AWARD


On February 1, 1990, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by Claimants Louis A. and Mary K. Bransford on April 1, 1989, and not signed by Respondent Nicholas Zahareas as requested pursuant to Section 8 of the NASD Code of Arbitration Procedure. The hearing was held at the offices of the National Association of Securities Dealers, Inc. located in Washington, DC and consisted of one (1) hearing sessions. The arbitration panel, having considered the pleadings, the testimony, and the evidence presented at the hearing, has determined in full and final resolution of the issues submitted for determination as follows:


1. In accordance with Section 25 of the Code of Arbitration Procedure, the Respondent Nicholas Zahareas was served with the Statement of Claim and given an opportunity to respond which the Respondent did.
2. In accordance with Section 21 and 26 of the Code of Arbitration Procedure, Respondent Nicholas Zahareas was given due notice of the hearing procedure by regular and certified mail.
3. In accordance with Section 29 of the Code of Arbitration Procedure, the arbitration panel determined in light of the foregoing information to proceed with the hearing as scheduled.
4. The Respondent Nicholas Zahareas be and hereby is liable and shall pay to the Claimants Louis A. Bransford and Mary K. Bransford the sum of Ten Thousand One Hundred Sixty Seven Dollars and No Cents (\$10,167.00), inclusive of interest.
5. The parties shall each bear their respective costs, including attorney's fees.
6. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$400.00 filing fee previously deposited by the Claimants.

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ARBITRATORS CONCURRING


Perry E. Wallace, Jr.


Marshall Passman


David A. LaFave

DATED: February 1 , 1990