

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Debra L. Davis and L.F. Davis

Claimant(s)

vs.

Graystone Nash, Inc., R.B. Marich, Inc.
and Peter Blanding

vs.

Robert Gadpaille

Respondent(s)

NOTICE OF
ARBITRATION
AWARD
89-01100

CASE SUMMARY

Claimant(s) Debra L. Davis and L.F. Davis alleged that Respondent(s) Graystone Nash, Inc., R.B. Marich, Inc. and Peter Blanding provided Claimants with false information and failed to advise them of Respondent Graystone Nash's impending bankruptcy or business closure. Respondent Graystone Nash Inc. maintains that Claimants are disgruntled customers who are faced with the results of their poor investment decisions and do not want to accept the losses. In addition, Respondent Graystone Nash entered cross-claims against Respondents Blanding, R.B. Marich, Inc. and Gadpaille for any damages awarded against Graystone Nash, Inc. as a result of this proceeding. Respondent R.B. Marich, Inc. denied any liability. Respondent Blanding maintained that he inherited the Davis account and handled it in an ethical and professional manner. Respondent Blanding cross-claimed against Respondents Gadpaille and Graystone Nash, Inc. Respondent Gadpaille denied liability and cross-claimed against Respondents Blanding and Graystone Nash, Inc.

RELIEF REQUESTED

Claimant(s) Debra L. Davis and L.F. Davis requested damages of Two Thousand Four Hundred Sixty Three Dollars and No Cents (\$2,463.00). Respondent(s) requested dismissal of claim and costs and variously cross-claimed for the amount of any damages awarded to Claimants.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, Langdon T. Owen, Jr., 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 17, 1989 and by NASD

Respondent Graystone Nash on June 17, 1989, by Respondent Peter Blanding on May 12, 1989, by Respondent R.B. Marich, Inc. on May 12, 1989, and by Respondent Robert Gadpaille on June 29, 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:

Respondent Graystone Nash is solely liable in this proceeding and shall pay to Claimant(s) the amount of Two Thousand Four Hundred Sixty Three Dollars and No Cents (\$2,463.00) and, in addition, Claimant is awarded punitive damages against Respondent Graystone Nash in the amount of Four Hundred Dollars and No Cents (\$400.00).

The claims against Respondents R.B. Marich Inc. and Peter Blanding are dismissed in their entirety.

Each of the cross-claims of the Respondents is hereby dismissed in all respects.

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

The \$25 filing fee previously deposited with the NASD, Inc. by the Claimant(s) is assessed against Respondent Graystone Nash, Inc. and shall be refunded to the Claimant by said Respondent.

May 22, 1990