

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Donald G. Phillips

Claimant(s)

vs.

Southmark Financial  
Services, Inc.

Respondent(s)

NOTICE OF ARBITRATION  
AWARD  
89-01340

CASE SUMMARY

Claimant(s) Donald G. Phillips alleged that Respondent(s) Southmark Financial Services, Inc. committed fraud and made misrepresentations. Respondent(s) maintain that the Claimant has failed to state facts to support the claim.

RELIEF REQUESTED

Claimant(s) Donald G. Phillips requested damages of Three Thousand Five Hundred Eighty One Dollars and No Cents (\$3,581.00). 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, Janet Weiss, 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 May 2, 1989 and by Respondent(s) on July 14, 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 all respects.

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

The \$100.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be retained by the NASD as costs of this proceeding.

November 13, 1989