

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

John and Margaret Powers

Claimant(s)

vs.

Gary Keller

Respondent(s)

NOTICE OF  
ARBITRATION  
AWARD  
89-01442

CASE SUMMARY

Claimant(s) John and Margaret Powers alleged that Respondent(s) Gary Keller changed Claimants' account to a margin account without Claimants' knowledge and executed unauthorized transactions. Respondent(s) maintain that Claimants were aware of the nature of the account and authorized all transactions.

RELIEF REQUESTED

Claimant(s) John and Margaret Powers requested damages of Four Thousand Nine Hundred Forty Five Dollars and Twenty Six Cents (\$4,945.26). 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, Roneé C. McLaughlin, 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 May 9, 1989 and by Respondent(s) on July 3, 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:

That the claim of the Claimants shall be and hereby is 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) will be retained by the NASD as costs of this proceeding.

February 16, 1990