

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In a Matter of Arbitration Between

DOUGLAS MADEL

v.

TANGA ALEXANDER AND ALLIED CAPITAL GROUP, INC.

Claimant

Respondents

NASO No. 89-01753

## CASE SUMMARY

In a claim filed with the NASD on June 15, 1989, Claimant Douglas Madel ("Claimant") alleged that Respondent Tanga Alexander ("Alexander") failed to comply with his stated investment objectives of purchasing new issue penny stocks for a period not to exceed 90 days. Claimant also alleges that all purchases made were at the solicitation of Respondent Alexander. Claimant further alleges that Respondent Alexander and Respondent Allied Capital Group, Inc. ("Allied") acted negligently and unprofessionally by: executing an unauthorized and unsolicited purchase order on Star Publications and failure to execute sell orders.

In her answer filed with the NASD on September 25, 1989, Respondent Alexander stated that she executed orders for Claimant when requested; denies any liability and denied that the purchase of Star Publications was unauthorized.

In its answer filed with the NASD on September 27, 1989, Respondent Allied stated that orders to sell were placed whenever Claimant requested; that the purchase of Star Publications was authorized and denied that it did anything wrong.

RELIEF REQUESTED

Claimant requested an award in the amount of \$4,355.00 plus costs and fees. Respondent Alexander requested that the Statement of Claim be dismissed. Respondent Allied requested that the Statement of Claim be dismissed and that it be awarded costs and attorneys fees.

**AWARD**

On Friday, March 2, 1990 in Chicago, Illinois during a hearing lasting one (1) session, the undersigned arbitrator heard the controversy between the parties as set forth in submissions to arbitration signed on

Date Served: 3-12-90

June 9, 1989 by Claimant Douglas Madel, on September 22, 1989 by Peter F. Mercaldi on behalf of Respondent Allied Capital Group, Inc. and on September 20, 1989 by Respondent Tanga Alexander.

The arbitrator, having considered the pleadings, the testimony, and the evidence presented at the hearing, has decided in full and final resolution of the issues submitted for determination as follows:

1. The Statement of Claim shall be and hereby is dismissed and denied in its entirety;

2. Each party shall bear its own respective costs and expenses not specified herein; and

3. Pursuant to Section 43(b) of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain as forum fees the \$100.00 filing fee previously deposited with the NASD by the Claimant Douglas Madel.

PRESIDING ARBITRATOR

Dated: March 2, 1990

S/SAIbert A. Epstein, Esq.