

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Fred C. Follmer and Sharon R. Follmer

Claimants

vs.

Sherwood Capital, Inc.  
Mark A. Sottile

Respondents

AWARD  
#89-02004

CASE SUMMARY

Claimants alleged that Respondents misrepresented the value of common stock purchased by the Claimants and failed to act in a prudent manner in not presenting losses incurred by the Claimants when the price of the common stock fell. Respondents maintained the Claimants received a prospectus for the common stock detailing the risks of the security and Claimants authorized all transactions in their account.

RELIEF REQUESTED

Claimants requested damages in the amount of \$30,000.00.

Respondents requested that the claims of the Claimants be dismissed and Respondents be awarded costs inclusive of attorneys' fees, and interest.

AWARD

On June 27, 1990 in Atlanta, Georgia, in one hearing session, the undersigned arbitrator heard the controversy between the parties as set forth in submissions to arbitration signed by Claimants Fred C. and Sharon R. Follmer on July 21, 1989, by Respondent Sherwood Capital Inc. on September 29, 1989 and by Respondent Mark A. Sottile on November 17, 1989. The initial claim was filed on June 22, 1989. The arbitrator, having considered the pleadings, the testimony, and the evidence presented at the hearing, has determined in full and final resolution of this matter as follows:

1. The claims of the Claimants against the Respondents be and hereby are dismissed in their entirety.
2. The parties shall bear their own costs including attorneys' fees.
3. Pursuant to Section 43 of the Code of Arbitration Procedure, the \$400.00 filing fee is assessed against the parties as follows:

the claimants are to pay \$200.00, Sherwood Capital Inc. is to pay \$100.00, and Mark A. Sottile is to pay \$100.00. All checks are to be made payable to the "NASD, Inc."

/s/  
Emily Grisobv, Esq.

Dated: July 25, 1990