



N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

Arbitration

National Association of
Securities Dealers, Inc.
One East Broward Boulevard
Suite 1000
Ft. Lauderdale, Florida 33301
(305) 522-7391

In the Matter of the Arbitration Between

Name of Claimant(s)

Curlie & Lisa Chester

CASE #89-03010

Name of Respondent(s)

Richfield Securities Inc.
Linda Liegh

Heard before the Arbitrator:

James R. Kennedy, Jr., Esq.

CASE SUMMARY

This claim was filed with the National Association of Securities Dealers, Inc. (NASD) on October 26, 1989. The hearing was conducted in Tampa, Florida on October 15, 1990, with a total of three (3) sessions.

Claimants, Curlie & Lisa Chester ("the Chesters"), alleged that Respondents, Richfield Securities Inc. ("Richfield") and Linda Liegh ("Liegh") were liable for: negligence; and misrepresenting, among other things, the urgency to purchase certain stock, the financial strength of the company, the number of shares available to the public, and the potential future value of the stock. Claimants also alleged that Respondents omitted to inform Claimants that the company was, or had, experienced management problems; failed to deliver a prospectus; and failed to execute sell orders.

Respondents denied Claimants allegations and asserted affirmative defenses including that: the misrepresentations which Claimants allege to have been made by Respondents were in fact made by Claimants' witness; Claimants were provided an opportunity to review the prospectus and information relating to the company; Claimants were informed that the stock was thinly traded; and both the buy and sell trades were unsolicited.

RELIEF REQUESTED

Claimants requested damages in the amount of \$16,020.00 plus interest. Respondents requested dismissal of the claim plus attorney's fees.

AWARD

On October 15, 1990, the undersigned arbitrator heard the controversy between the parties as set forth in submissions to arbitration signed by Claimants on November 17, 1989, and by Respondents, Richfield, on August 27, 1990 and Liegh on August 15, 1990. The arbitrator, having considered the pleadings, the testimony, and the evidence presented at the hearing, has determined in full and final resolution of the issues submitted for determination as follows:

1. Respondents, Richfield and Liegh, are found liable, jointly and severally, and shall pay to the Claimants the amount of Eight Thousand Nine Hundred Forty Six and 00/100 (\$8,946.00) Dollars.
2. Claimants' request for interest is denied.
3. Respondents' request for attorney's fees is denied.
4. Pursuant to Section 43 of the Code of Arbitration Procedure, the Arbitrator has assessed forum fees in the amount of One Thousand Two Hundred and 00/100 (\$1,200.00) Dollars (3 sessions x \$400.00). Claimants are hereby assessed Six Hundred and 00/100 (\$600.00) Dollars for which the NASD shall retain the Four Hundred and 00/100 (\$400.00) Dollar filing fee previously deposited in partial satisfaction thereof. Respondents, Richfield and Liegh, are hereby assessed Six Hundred and 00/100 (\$600.00) Dollars, jointly and severally, payable to the National Association of Securities Dealers, Inc.
5. The parties shall each bear all other costs and expenses incurred by them in connection with this proceeding including attorney's fees.

OTHER ISSUES

None.

ARBITRATOR CONCURRING

James R. Kennedy, Jr., Esq.

Dated this 4th day of December 1990.