

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between
Gerald and Elaine Van Kuiken

Claimant(s)

vs.

Power Securities, Ltd.,
Mark Edward Loats
and Jeffrey Brown

Respondent(s)

NOTICE OF
ARBITRATION
AWARD

89-03082

CASE SUMMARY

Claimant(s) Gerald and Elaine Van Kuiken alleged that Respondent(s) Power Securities, Ltd., Mark Edward Loats and Jeffrey Brown made misrepresentations and recommended unsuitable investments. Respondent Mark Loats maintains that the Claimant was aware that the securities were high risk and that he made no misrepresentations. Respondent Jeffrey Brown maintains that at the time the trades took place he was not Mr. Loats' manager. Respondent Power Securities did not respond.

RELIEF REQUESTED

Claimant(s) Gerald and Elaine Van Kuiken requested damages of Eight Thousand Thirty Dollars and No Cents (\$8,030.00). 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, Deena J. Powell, 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 October 27, 1989 and by Respondent(s) on January 7, 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.

Notice of Arbitration Award

Case No. 89-03082

Page 2

The \$200.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be retained by the NASD as costs of this proceeding.

March 6, 1990