

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

Sandra Pasquariello	:
	:
Claimant	:
v.	:
	:
Wheat First Securities, Inc.	:
Milon Christman	:
Charles Gill	:
	:
Respondents	:

AWARD
#89-03155

CASE SUMMARY

The Statement of Claim was filed with the NASD on November 13, 1989.

Claimant, Sandra Pasquariello, alleged that she was misled by respondents, Wheat First Securities, Inc., Milon Christman and Charles McGill into purchasing securities that were unsuitable (\$50,000 in U.S. Realty Partners Limited Partnership) and contrary to her stated investment objectives of safe income producing investments and that as a result of Respondents negligent misrepresentations and breach of fiduciary duty Claimant suffered substantial losses.

Respondents, Wheat First Securities, Inc., Milon Christman and Charles McGill maintained that Claimant Sandra Pasquariello was aware and apprised of the risk of her investments at all times and denied all allegations of wrong doing. Respondents further maintained that Claimant sustained losses because she held her shares despite specific recommendations by Respondents to sell her shares if she was concerned about market value declines.

RELIEF REQUESTED

Claimant, Sandra Pasquariello requested an award in the amount of \$76,433.22 including interest, costs and punitive damages.

Respondents, Wheat First Securities, Inc., Milon Christman and Charles McGill requested dismissal of the Claim and requested that costs of this proceeding be assessed against Claimant.

AWARD

On October 5, 1990, the undersigned arbitrators heard the controversy between the Parties as set forth in submissions to arbitration signed by the Claimant Sandra Pasquariello, on October 17, 1989 and by Respondents, Wheat First Securities, on February 12, 1990, by Respondent, Milon Christman, on December 19, 1989 and by Charles McGill on February 8, 1990.

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The hearing was held in Charlotte, N.C. and consisted of two (2) sessions. The arbitration panel, 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, Wheat First Securities, Inc. and Charles McGill are jointly and severally liable to pay to Claimant, Sandra Pasquariello, the sum of Twelve Thousand Eight Hundred Twenty Five Dollars and no Cents (\$12,825.00) including interest to October 15, 1990;

2. All Claims against Respondent, Milon Christman be and hereby are dismissed in all respects;

3. Claimant's Claim for punitive damages be and hereby is dismissed in all respects;

4. The Parties shall each bear their respective costs, including attorneys' fees;

5. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$500.00 filing fee previously deposited by the Claimant;

6. Respondents, Wheat First Securities, Inc. and Charles McGill are jointly and severally liable to pay to Claimant an additional \$500.00 which represents the filing fee deposited by Claimant;

7. Respondents, Wheat First Securities, Inc. and Charles McGill are jointly and severally assessed forum fees in the amount of \$500.00 payable to the NASD, Inc. through its staff administrator in accordance with Section 43 of the Code of Arbitration Procedure.

ARBITRATORS CONCURRING

/s/

Reynolds Williams, Esq.

/s/

Michael R. Williams

/s/

Stephen Rhyne, Esq.

Dated by the NASD: October 31, 1990