

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Cynthia J. Evans

Claimant(s)

vs.

Allied Capital Group

Respondent(s)

NOTICE OF
ARBITRATION
AWARD
89-03201

CASE SUMMARY

Claimant(s) Cynthia J. Evans alleged that Respondent(s) Allied Capital Group executed an unauthorized purchase in Claimant's account. Respondent(s) denied the allegations of Claimant and demanded strict proof that the sell order in question was not authorized. Further, Respondent entered a third-party claim against Shervin Shakibi, the former registered representative who handled Claimant's account for any liability arising from this proceeding.

RELIEF REQUESTED

Claimant(s) Cynthia J. Evans requested damages of Two Thousand Five Hundred Sixteen Dollars and No Cents (\$2,516.00) plus interest of 10%. Respondent(s) requested dismissal of claim and costs and entered a third party claim against Shervin Shakibi for the whole amount of any award rendered against the Respondent.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, Thomas Corey, Esq., 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 November 13, 1989 and by Respondent(s) on January 11, 1990, 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:

That the Respondent is liable and shall pay to the Claimant the sum of Two Thousand Five Hundred Sixteen Dollars and No Cents (\$2,516.00); and

The third party claim of the Respondent against Shervin Shakibi is hereby dismissed in all respects.

The parties shall each bear their respective costs including attorney's fees.

The \$100 filing fee previously deposited with the NASD, Inc. by the Claimant(s) is assessed against the Respondent and shall be refunded to the Claimant by the Respondent.

March 8, 1990