

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Cora Vlach and Viola J. Spencer JTWROS;
Cora Vlach and
Muriel C. Sather

Claimant(s)

vs.

Donald Berg

Respondent(s)

NOTICE OF
ARBITRATION
AWARD
89-03334

CASE SUMMARY

Claimant(s) Cora Vlach and Viola J. Spencer JTWROS; Cora Vlach and Muriel C. Sather alleged that Respondent(s) Donald Berg engaged in unauthorized transactions and invested Claimants' funds in unsuitable securities. Respondent denied the allegations and maintained Claimants' damage calculations are flawed.

RELIEF REQUESTED

Claimant(s) Cora Vlach and Viola J. Spencer JTWROS; Cora Vlach and Muriel C. Sather requested damages of Ten Thousand Dollars and No Cents (\$10,000.00). 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, Mark E. Feierstein, 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 22, 1989 and not by the Respondent as required by Section 12(a) of the NASD, Inc. Code of Arbitration Procedure;

And, that the Arbitrator, having considered the proofs of the Parties, including any additional documentary submissions of the Claimant(s) and the Respondent(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 Five Thousand Dollars and No Cents (\$5,000.00).

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

Notice of Arbitration Award

Case No. 89-03334

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The \$200.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be refunded to the Claimant by the Respondent.

June 27, 1990