

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Lary Stuart Mahoney

Claimant(s)

vs.

K. Brett Thackston and
Wheat First Securities, Inc.

Respondent(s)

NOTICE OF
ARBITRATION
AWARD

89-03366

CASE SUMMARY

Claimant(s) Lary Stuart Mahoney alleged that Respondent(s) K. Brett Thackston and Wheat First Securities, Inc. made misrepresentations. Respondent Wheat First Securities, Inc. maintains that they have had no dealings with Mr. Mahoney and had nothing to do with the acts complained of in Claimant's statement. Respondent K. Brett Thackston maintains that Claimant knowingly and voluntarily made a decision to invest in low-priced, risky stocks and now wants reimbursement for his losses.

RELIEF REQUESTED

Claimant(s) Lary Stuart Mahoney requested damages of Nine Thousand Eight Hundred Twenty Seven Dollars and No Cents (\$9,827.00). 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, Roneé C. McLaughlin, 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 14, 1989 and not by the Respondents 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 Respondent Thackston unnecessarily delayed delivering a prospectus for Resurgens Communications Group to Claimant and is therefore liable for punitive damages in the amount of Two Thousand Dollars and No Cents (\$2,000.00), and;

Notice of Arbitration Award

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That the claim of the Claimant against Wheat, First Securities is hereby dismissed in all respects.

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

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

April 24, 1990