

**NATIONAL ASSOCIATION OF SECURITIES DEALERS**

In the Matter of the Arbitration Between

Mearl E. and Susan A. Gibbs

Claimant(s)

vs.

The Stuart-James Co., Inc.  
and Robb Bartlett Ivey

Respondent(s)

**NOTICE OF  
ARBITRATION  
AWARD**  
89-03426

**CASE SUMMARY**

Claimant(s) Mearl E. and Susan A. Gibbs alleged that Respondent(s) The Stuart-James Co., Inc. and Robb Bartlett Ivey fraudulently misrepresented as to investment Claimants made through Respondent. Respondent(s) denies Claimants' allegations.

**RELIEF REQUESTED**

Claimant(s) Mearl E. and Susan A. Gibbs requested damages of Three Thousand Nine Hundred Eighty Four Dollars and Seventy Three Cents (\$3,984.73), interest totalling Five Hundred Nineteen Dollars and Eighty Three Cents (\$519.83), and punitive damages totalling One Thousand Dollars and No Cents (\$1,000.00). 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, Scott Wallner, 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 4, 1989 and by Respondent(s) on December 29, 1989 and December 28, 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 Respondents shall be jointly and severally liable to the Claimant for the total amount of \$500.

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

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The \$100 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be reimbursed by Respondent to Claimant.

May 8, 1990