

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Eugene W. Gabriel

Claimant(s)

vs.

Hibbard Brown and
Joseph Chester

Respondent(s)

NOTICE OF
ARBITRATION
AWARD
90-00049

CASE SUMMARY

Claimant(s) Eugene W. Gabriel alleged that Respondent(s) Hibbard Brown and Joseph Chester misrepresented material facts as to Claimant's investment with Respondent. Respondent(s) deny Claimant's allegations.

RELIEF REQUESTED

Claimant(s) Eugene W. Gabriel requested damages of Seven Thousand Dollars and No Cents (\$7,000.00). 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, Thomas B. 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 December 11, 1989 and by Respondent(s) on February 15, 1990, respectively;

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:

The claim of the Claimant is 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 retained by the NASD as costs in this proceeding.

April 9, 1990