

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Charles E. Januschka

90-00124

Name of Respondent(s)

Evan Ryan
J.B. Sterling Corp.
Dick Gilson

CASE SUMMARY

In a claim filed with the NASD on or about January 9, 1990, Charles E. Januschka ("Claimant") alleged that Respondents Evan Ryan, J. B. Sterling Corp. and Richard Gilson failed or refused to execute an order to sell 8000 shares of TVCN stock.

In their joint answer filed with the NASD on or about February 20, 1990 Respondents Evan Ryan now known as J. B. Sterling, Corp. and Richard Gilson (collectively referred to as "Respondents") stated that the order was received but not executed because there was no market for the sell order. Respondents stated that the sell order was subsequently withdrawn.

RELIEF REQUESTED

Claimant requested an award in the amount of \$5120.00.

Respondents requested that the claim be dismissed.

AWARD

On Monday, August 27, 1990 in Denver, Colorado during a hearing lasting a total of two (2) sessions, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed on January 4, 1990 by Claimant Charles Januschka on February 16, 1990 by Richard D. Gilson on behalf of Respondent J. B. Sterling formerly known as Evan Ryan and individually.

The arbitration panel, having considered the pleadings, the testimony, and the evidence presented at the hearing, has decided in full and final resolution of the issues submitted for determination as follows:

1. The Statement of Claim shall be and hereby is denied and dismissed in its entirety;

2. Each party shall bear its own costs and expenses incurred in this matter not specifically enumerated herein; and

3. Pursuant to Section 43(c) of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the filing fee in the amount of \$200.00 previously deposited with the NASD by the Claimant Charles Januschka. Respondents shall pay to the NASD the sum of \$200.00 as forum fees.

August 27, 1990

s/Gerald Raskin
Gerald Raskin, Esq.