

**NATIONAL ASSOCIATION OF SECURITIES DEALERS**

**In the Matter of the Arbitration Between**

**Leonard Eskin and  
Corrine J. Eskin**

**Claimant(s)**

**vs.**

**USAA Investment Management Co.  
and USAA Transfer Agency Co.**

**Respondent(s)**

**NOTICE OF  
ARBITRATION  
AWARD  
90-00571**

**CASE SUMMARY**

Claimant(s) Leonard Eskin and Corrine J. Eskin alleged that Respondent(s) USAA Investment Management Co. and USAA Transfer Agency Co. failed to follow Claimants' instructions with respect to the investment of certain funds mailed to Respondent by Claimants. Respondent USAA Investment Management Co. maintains that it acted logically under the circumstances as the instructions accompanying Claimants' check included an account number to which the funds were applied. Respondent USAA Transfer Agency Co. declined arbitration on the basis that it is not an NASD member.

**RELIEF REQUESTED**

Claimant(s) Leonard Eskin and Corrine J. Eskin requested damages of Four Thousand Six Hundred Thirty Nine Dollars and No Cents (\$4,639.00). 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, Patrick J. Halter, 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 February 22, 1990 and by Respondent(s) on April 12, 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:

That the claim of the Claimant is hereby dismissed in all respects.

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

Notice of Arbitration Award  
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The \$100.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be retained by the NASD as costs of this proceeding.

July 16, 1990