

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Marisa A. Wahler

OATH AND
AWARD OF
ARBITRATOR

90-00690

Claimant

vs.

Sacks Securities, Inc.

Respondents

Having been selected as an arbitrator to consider and determine the matter in controversy between the above-captioned parties, I solemnly swear or affirm that:

- I am not an employer of, employed by or related by blood or marriage to any of the parties or witnesses whose names have been disclosed to me, and
- I have no interest directly or indirectly in this proceeding, and
- I know of no existing or past financial, business, professional, family or social relationship which would impair me from performing my duties, and
- I shall consider and decide the controversy faithfully and fairly and render a just award to the best of my understanding,

CASE SUMMARY

Claimant(s) Marisa A. Wahler alleged that Respondent(s) Sacks Securities, Inc. recommended unsuitable investments and engaged in misrepresentation, churning, and unauthorized trading. Respondent ~~did not defend.~~ *submitted a motion requesting a hearing on this matter*

RELIEF REQUESTED *Respondent did not defend.*

Claimant(s) Marisa A. Wahler requested damages of Five Thousand Three Hundred Dollars and No Cents (\$5,300.00).

The undersigned being the arbitrator selected to review and determine a matter in controversy between the above-mentioned Claimant(s) and Respondent(s), set forth in a submission to Arbitration signed by the Claimant on March 6, 1990 and not by the Respondent as required by Section 12(a) of the NASD, Inc. Code of Arbitration Procedure respectively;

And, that having reviewed and considered the proofs of the Parties, including any additional documentary submissions of the Claimant(s) and the Respondent(s) has decided and determined that in full and final settlement of the above-captioned matter,

Note: Fill out only those sections which apply to this particular case: Case Number 90-00690:

- 1) Case Dismissed _____
- 2) Find for the Claimant
(a) total amount of the award: \$ 4741.22 plus interest
(b) if two or more respondents are liable:
(1) joint and severally liable: yes _____ no _____
(2) if respondents separately liable
list party and the amounts: _____

- 3) Counterclaim of Respondent
(a) total amount of award: \$ _____
(b) party to receive award: _____
(c) counterclaim dismissed: _____
- 4) Punitive Damages
(a) total amount \$ _____
(b) name parties against whom damages are to be assessed and in what amounts: _____

- (c) claim dismissed: _____
- 5) NASD Fee
(a) assessed against Claimant _____
(b) assessed against Respondent X
- 6) Use this space to expand or clarify any part of the decision above or to indicate other forms of specific relief.

Respondent Sacks Securities, Inc. is liable to and shall pay to claimant Marisa A. Wahler the sum of Four Thousand Seven Hundred and Forty-One Dollars and Twenty-Two Cents (\$4741.22). Interest shall be added to the award at the rate of Ten Percent (10%) per annum from February 24, 1987 to date.

The award against the respondent was entered by default.

Affirmation

STATE OF CALIFORNIA

} SS:
}

COUNTY OF LOS ANGELES

I, Delores I. Smith, do hereby affirm upon my oath as arbitrator that I am the individual described in and who executed this instrument, which is my oath and award.

October 2, 1990

(DATE)

Delores I. Smith

(SIGNATURE OF ARBITRATOR)