

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between :
:
Milton J. Taylor :
:
Claimant :
:
vs. :
CASE #90-02260
AWARD
:
First Alliance Securities, Inc. :
Rick Anders :
William Lincoln :
:
Respondents :

CASE SUMMARY

Milton J. Taylor, in a claim filed with the National Association of Securities Dealers, Inc. on August 1, 1990, alleged that Respondent Rick Anders, while employed at First Alliance Securities, Inc., failed to execute his purchase order for Hygolet Brill securities and made an unauthorized purchase of forty thousand (40,000) shares of Sea Venture Cruise, Inc., Claimant states that in a telephone conversation, William Lincoln identified himself as President of First Alliance Securities, Inc. but did not provide him with corrections to the trades in question.

Respondent, First Alliance Securities, Inc. has not answered the Statement of Claim served on them December 1, 1990,

Respondent, Rick Anders, maintained that he never executed trades while at First Alliance because the firm was never able to register his Series 7 (seven) license. He states that he only answered customers questions and if Mr. Taylor's money was used for some other purpose then that for which he intended it, that he had no knowledge of the unauthorized trade.

Respondent William Lincoln failed to answer the Statement of Claim.

RELIEF REQUEST

Claimant requests the return of the Eight Thousand Ten Dollars and No Cents (\$8,010.00) in trades and interest at the annual rate of Eight Percent (8%).

AWARD

Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Earle R. Frost, Jr., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on August 17, 1990 and not by the Respondents as required by Section 13(d) of the Code of Arbitration Procedure.

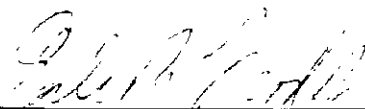
And, that the Arbitrator, having considered the proof of the Parties, has decided and determined in full and final resolution of the issues submitted for determination as follows:

1. That the Respondents, First Alliance Securities, Inc., Rick Anders and William Lincoln, are jointly and severally liable and shall pay to the Claimant, Milton J. Taylor, the sum of Eight Thousand Ten Dollars and No Cents (\$8,010.00).
2. Upon receipt of Eight Thousand Ten Dollars and No Cents (\$8,010.00), Milton J. Taylor is to relinquish all right, title and interest to the Forty Thousand (40,000) shares of Sea Venture Cruises, Inc., which were the subject of the First Alliance Securities, Inc. Confirmation Order (transaction #181-0089), designated as Exhibit Taylor 2 attached to Milton J. Taylor, Jr.'s letter dated March 9, 1990, addressed to NASD, Attention: Deborah Masucci, Director. If the aforesaid Forty Thousand (40,000) shares are titled to and in the possession of Mr. Taylor, he is to assign the Forty Thousand (40,000) shares to First Alliance Securities, Inc. immediately after he recovers Eight Thousand Ten Dollars and No Cents (\$8,010.00). In the event Respondent does not recover Eight Thousand Ten Dollars and No Cents (\$8,010.00) within 90 days from the date of the affirmation below, Claimant Taylor may retain all right, title and interest to said shares notwithstanding that he subsequently recovers Eight Thousand Ten Dollars and No Cents (\$8,010.00).
3. Claimant's request for interest is denied.

4. The One Hundred Fifty Dollars and No Cents (\$150.00) filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant is assessed jointly and severally against First Alliance Securities, Inc. and Rick Anders and payable by said Respondents to the Claimant, Milton J. Taylor.

AFFIRMATION

I, **EARLE R. FROST, JR.**, do hereby affirm upon my oath as arbitrator that I am the individual described herein and who executed this instrument, which is my oath and award.



Signature of Arbitrator

DATED: 3/19/91