

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Bateman Eichler, Hill Richards, Inc.  
Claimant

vs.

Gene M. Alford

Respondent

Case #90-02472  
AWARD

CASE SUMMARY

Bateman Eichler, Hill Richards, Inc. by its counsel Brian K. Lowe, in a claim filed with the National Association of Securities Dealers, Inc. on September 6, 1990, alleged non-payment of an unsecured debit balance in the account of futures customer and Respondent, Gene M. Alford. Claimant states that Respondent was fully aware of all risks involved in his investments and has no excuse for not paying the monies owed.

Respondent, Gene M. Alford maintained that Claimant was negligent in certain responsibilities, has failed to enter into meaningful dialogue for resolution of the problem and misrepresented the events involved. Mr. Alford states Bateman Eichler erred in determining suitability for a futures account of only ten thousand dollars, provided late, confusing evidence of account activity and failed to attempt to resolve the dispute without arbitration.

RELIEF REQUESTED

Claimant requests Three Thousand Six Hundred Ninety Five Dollars and Forty Nine Cents (\$3,695.49) in damages plus fees, costs and interest.

Respondent requests dismissal of the claim in its entirety.

AWARD

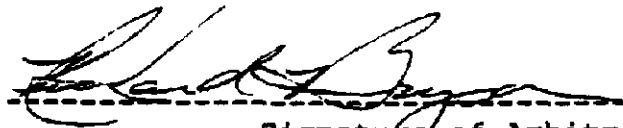
Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Richard Bryson was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on August 22, 1990 and by the Respondent on January 27, 1991, respectively;

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 Respondent, Gene M. Alford, is liable and shall pay to the Claimant, Bateman Eichler, Hill Richards, Inc. the sum of Three Thousand Six Hundred Ninety Five Dollars and Forty Nine Cents (\$3,695.49);
2. Claimant's request for fees, costs and interest is denied.
3. The Five Hundred and Seventy Five Dollar (\$575.00) filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant shall be retained by the NASD, Inc.

AFFIRMATION

I, RICHARD BRYSON, 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:

6/3/91