

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Susan Lilley Hoyer

Claimant

vs.

Edward D. Jones and Company, Inc.

Respondent

Case #90-03018

AWARD

CASE SUMMARY

Susan Lilley Hoyer, in a claim filed with the National Association of Securities Dealers, Inc. on October 26, 1990, alleged that Respondent Edward D. Jones and Company misrepresented the true quality and safety of United Bankers, Inc. debentures. United Bankers filed Chapter Seven Liquidation in March of 1990. She continues that Respondent gave false and misleading information to their clients and the general public through their bid process. Broker, Kendall J. Anderson submitted a statement in support of Claimant's allegations.

Respondent, Edward D. Jones and Company, Inc., represented by Lawrence R. Sobel, Maryland Heights, MO, maintained that at the time of purchase, United Bankers was a reasonable and suitable investment. They state that Edward D. Jones and Company evidenced good faith in assessing a value for the Bonds in the secondary market and that Claimant's current broker, Mr. Anderson, negligently counseled her and drew a wrong conclusion concerning the nature of the workout bid. Respondent filed an objection to the submission of Mr. Anderson's statement and provide a response to said statement.

RELIEF REQUESTED

Claimant requests damages of Ten Thousand Dollars and No Cents (\$10,000.00).

Respondent requests dismissal of the Claim in its entirety and judgment in favor of the Respondent.

AWARD

Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Margaret Kallman, Esq., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on December 3, 1990 and by the Respondent on March 12, 1991;

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, Edward D. Jones and Company, Inc. is liable and shall pay to the Claimant, Susan Lilley Hoyer, the sum of Ten Thousand Dollars and No Cents (\$10,000.00);
2. The One Hundred and Fifty Dollar (\$150.00) filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant shall be retained by the NASD, Inc. and is assessed against the Respondent who shall pay One Hundred Fifty Dollars and No Cents (\$150.00) to the Claimant.

AFFIRMATION

I, MARGARET KALLMAN, ESQ., 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:

6/20/91