

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

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In the Matter of the Arbitration Between

Name of Claimant

Danita Dahlquist-Zube  
aka Monique Dahlquist

vs.

NASD #91-01144

Name of Respondents

Bateman Eichler, Hill Richards, Inc.  
Harry Chan, Jr.

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REPRESENTATION

For Claimant: Claimant represented herself

For Respondents: A. Brad Busscher, Esq., Kemper Securities Group, Inc.,  
Chicago, Illinois

CASE INFORMATION

Statement of Claim filed: June 11, 1991

Claimant's Submission Agreement signed: March 30, 1991

Joint Statement of Answer filed: December 17, 1991

Respondents' Submission Agreements signed:  
Bateman Eichler, Hill Richards, Inc.: December 9, 1991  
Harry Chan, Jr.: December 9, 1991

HEARING INFORMATION

Hearing Date/Sessions: September 1, 1992 - two sessions

Hearing Location: San Francisco, California

### CASE SUMMARY

Claimant alleged Respondents failed to monitor her investment in the common stock of Cousins Home Furnishings. Claimant further alleged Respondents misrepresented the potential risk of investing in the common stock of Gradco.

Respondents denied all allegations of wrong-doing, and asserted that the Cousins Home Furnishings stock was not purchased through Bateman Eichler, Hill Richards, Inc. Respondents further asserted they had no duty to monitor this stock. With respect to the Gradco stock, Respondents asserted that Claimant understood the risks of this investment and made the decision to invest.

### RELIEF REQUESTED

Claimant requested, variously, damages of \$50,000, \$10,000 and \$35,000.

Respondents requested dismissal of all claims.

### OTHER ISSUES CONSIDERED & DECIDED

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered. In either case, the parties have agreed to receive conformed copies of the Award while the originals remain on file with the National Association of Securities Dealers (NASD).

### AWARD

After considering the pleadings, the testimony and the evidence presented at the hearing, the undersigned arbitrators have decided in full and final resolution of the issues submitted for determination as follows:

1. All claims asserted by Claimant are dismissed in their entirety.
2. The parties shall each bear their respective costs, including attorney's fees.

### OTHER COSTS

None.

FORUM FEES

Pursuant to Section 43(c) of the Code of Arbitration Procedure, forum fees are assessed as follows:

Claimant:

One session @ \$400/session	\$400
Credit for partial deposit	- 50
Balance due	<u>350</u>

Bateman Eichler:

One session @ \$400/session	\$400
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Fees are payable to the National Association of Securities Dealers, Inc.

ARBITRATION PANEL

Name

Public/Industry


Signatures

Public Arbitrator

Public Arbitrator

Sr.

Industry Arbitrator

  
John P. Sparrow

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Served September 24, 1992

Date of Decision: \_\_\_\_\_