

NATIONAL ASSOCIATION OF SECURITIES DEALERS

National Association of
Securities Dealers, Inc.
One East Broward Boulevard
Suite 1000
Ft. Lauderdale, Florida 33301
(305) 522-7391

In the Matter of the Arbitration Between)

Name of Claimant)

Minnie S. Sutker)

Name of Respondent)

John B. Davidson)

Case No. 91-01298

REPRESENTATION

For Claimant, Minnie S. Sutker, ("Sutker"): Martha A. Geer, Esq. of
Patterson Harkavy, Lawrence, Van Noppen & Okun.

Respondent, John Davidson ("Davidson") appeared: pro se.

CASE INFORMATION

Statement of Claim filed: April 10, 1991. Claimant's Submission Agreement
signed on: April 10, 1991.

Statement of Answer filed: May 23, 1991. Respondent, Davidson Submission
Agreement signed: June 13, 1991.

HEARING INFORMATION

Hearing Date/Sessions: March 24 and 25; and April 23, 1992 - six (6)
sessions.

Hearing Location: Charlotte, NC.

CASE SUMMARY

Claimant, Minnie S. Sutker, alleged that Respondent, John B. Davidson,
fraudulently opened a margin account for her and that such an account was not
authorized and was not suitable. Additionally, Claimant alleged that
Respondent engaged in a "covered call writing" options program for Claimant
that was fraudulent, unsuitable and resulted in churning of Claimant's
account. Finally Claimant alleged that Respondent's purchase of Valley
National Stock was fraudulent, unsuitable, and was not authorized.

Respondent maintained that he handled Claimant's account in a professional
manner that was consistent with the investment objectives and directions
given to him by Claimant.

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RELIEF REQUESTED

Claimant requested damages of at least \$18,834.00 plus punitive damages of at least \$50,000.00.

Respondent requested dismissal of the Claim and that all forum costs be assessed against the Claimant.

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 NASD.

AWARD

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

1. Respondent, John B. Davidson shall pay to Claimant, Minnie S. Sutker, damages in the amount of Two Thousand Dollars and No Cents (\$2,000.00);
2. The parties shall each bear their respective costs, including attorney's fees.

FORUM FEES

1. Pursuant to Section 43(c) of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$150.00 non-refundable filing fee previously deposited by the Claimant and the following forum fees are assessed:

(6 hearing sessions X \$500.00 less \$500.00 previously deposited by Claimant = \$2,500.00).

Forum fees assessed against:

Respondent, John B. Davidson, in the amount of \$2,500.00.

Additionally, Respondent, John B. Davidson shall pay to Claimant the sum of \$500.00 (this represents a refund of the \$500.00 hearing session deposit previously paid by Claimant).

Fees are payable to the National Association of Securities Dealers, Inc.

AWARD-#91-01298

ARBITRATION PANEL

Gary L. Tidwell, Esq.
Mr. Simone Sicola
R. Corson Rose

Public/Chairperson
Public/Panelist
Industry/Panelist

Concurring Arbitrators' Signatures

/s/

Gary L. Tidwell, Esq.

/s/

Mr. Simone Sicola

/s/

Mr. R. Corson Rose

Dated: May 27, 1992