

9205073

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant(s)

Eary Zoror

91-02300

Name of Respondent(s)

Corporate Securities Group, Inc.
Salih M. Zwain

REPRESENTATION

For Claimant: J. Einhorn, Esq.

For Respondent: C. Scarlett, Esq.

CASE INFORMATION

Statement of Claim filed: July 29, 1991

Claimant's Submission Agreement signed on: July 25, 1991

Statement of Answer filed by Respondents on: September 23, 1991

Respondent, Corporate Securities Group's Submission Agreement signed on:
September 23, 1991

Respondent, Salih M. Zwain's Submission Agreement signed on: September 20,
1991

HEARING INFORMATION

Pre-Hearing Conference(s) : None.

Hearing Date(s)/Session(s): April 28, 1992 - three sessions

Hearing Location: Los Angeles, California

CASE SUMMARY

Claimant alleged unauthorized transactions, breach of contract, breach of fiduciary duty, negligence and violations of the Anti-Fraud provisions of the securities laws in the purchase and sale of securities.

Respondents denied all substantive allegations of the Statement of Claim and alleged that claimant was fully informed of all transactions authorized them, and that no discussion took place regarding keeping claimant invested in a money market account.

RELIEF REQUESTED

Claimant(s) requested:

1. Compensatory damages of \$27,425.18;
2. Interest on the above amount from the date such funds were invested with respondents until the date of receipt of any award;
3. Costs and filing fees;

4. Attorneys' fees and expert witness fees; and
5. Punitive damages of \$250,000.00.

OTHER ISSUES CONSIDERED AND 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 original(s) remain on file with the NASD.

AWARD

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

1. Respondents are jointly and severally liable for and shall pay claimant:
 - a. Compensatory damages of \$29,554.00 which includes interest from the date of loss to the date of the award;
 - b. Interest at the statutory rate in the State of California from the date of the award to the date it is paid;
 - c. Claimant's filing fees of \$200.00 for a non-refundable filing fee and \$750.00 for the hearing deposit;
2. Claimant shall keep, and not be obliged to deliver to either respondent, the 3,000 shares of Circle K common stock currently owned by claimant.
3. The claim for punitive damages is dismissed.
4. The parties shall each bear their respective costs including attorneys' fees.

FORUM FEES

Pursuant to Section <43c> of the Code of Arbitration Procedure, the following Forum Fee(s) are assessed: The NASD Shall retain the \$750.00 hearing session deposit previously deposited by the claimant which is assessed against respondents, jointly and severally, and is to be paid to claimant as described above. Forum Fees assessed against: Respondents, jointly and severally, for the amount of \$2,250.00, minus the \$750.00 which is to be paid directly to claimant, calculated as follows: three hearing sessions X \$750.00/session = \$2,250.00, minus \$750.00 hearing session deposit to be paid directly to claimant, leaving a balance of \$1,500.00 to be paid to the NASD.

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

ARBITRATION PANELName

Ronald Witter
Alan Stamm, Esq.
Michael Strieby

Public/Industry

Industry
Public Chairperson
Public

Concurring Arbitrators' Signatures

Ronald Witter

DATE SERVED: 05/27/92

Date of Decision: 4/28/92

ARBITRATION PANELName

Ronald Witter
Alan Stamm, Esq.
Michael Strieby

Public/Industry

Industry
Public Chairperson
Public

Concurring Arbitrators' Signatures

Alan Stamm

DATE SERVED: 05/27/92

Date of Decision: _____

ARBITRATION PANELName

Ronald Witter
Alan Stamm, Esq.
Michael Strieby

Public/Industry

Industry
Public Chairperson
Public

Concurring Arbitrators' Signatures

Michael Strieby

DATE SERVED: 05/27/92

Date of Decision: 5/20/92