

N.A.S.D. AWARD  
NATIONAL ASSOCIATION OF SECURITIES DEALERS

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In the Matter of the Arbitration Between

**PUBLIC**

Name of Claimant

Richard Blackman & Co. Inc.

91-02992

Name of Respondents

GPF Holding Company  
George W. Stagg, Jr.  
Margaret Lynch

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REPRESENTATION

For Claimant Richard Blackman & Co. Inc.: Joseph McCaffrey of Richard Blackman & Co., Inc.

For Respondents GPF Holding Company, George W. Stagg, Jr. and Margaret Lynch: Respondents did not appear.

CASE INFORMATION

Statement of Claim filed: September 23, 1991.

Claimant's Submission Agreement signed on: September 20, 1991.

Respondents did not file an Answer or Submission Agreement.

HEARING INFORMATION

Hearing Date/Sessions: August 25, 1992 / 1 session

Hearing Location: NASD, New York, NY.

CASE SUMMARY

Claimant alleged that on April 1, 1991 Respondent GPF Holding Co. entered orders to purchase stock in the amount of \$195,125.00 and after confirming that a check for the first purchase was in the mail, another order was entered for \$98,960.00.

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Claimant further alleged that the checks were delivered and Claimant was advised the account the checks were written against was closed; having learned that the account had been closed, Claimant liquidated the positions. Claimant further alleged that Respondent George Staff promised payment in full and then he agreed to sell out the positions in other accounts he had interests in and journal these proceeds into the GPF account, which then was left with an unsecured debit balance of \$14,841.34. Claimant further alleged many promises were made to pay this balance and nothing was received.

No Answer was filed by Respondents.

**RELIEF REQUESTED**

Claimant requested: \$14,841.00 plus costs and interest.

**OTHER ISSUES CONSIDERED AND DECIDED**

The arbitration panel made the following rulings with regard to the Respondents:

In accordance with Section 1 of the Code, the panel ruled that it had jurisdiction over the Respondents;

In accordance with Section 25 of the Code, the Respondents were served with the Statement of Claim and given an opportunity to respond which they failed to do so;

In accordance with Section 21 and Section 26 of the Code, the Respondents were given due notice of the hearing procedure by regular and certified mail and failed to appear at the hearing;

In accordance with Section 29 of the Code, the panel ruled that the Respondents had adequate notice of this hearing and determined to proceed with the Respondents as parties in their absence.

**AWARD**

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

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1. Respondents be and hereby are liable jointly and severally, and shall pay to Claimant the sum of \$14,841.34 to represent compensatory damages and \$1,113.00 to represent interest.
2. Each party is to bear its own costs.

FORUM FEES

Pursuant to Section 43c of the Code of Arbitration Procedure, the following Forum Fees are assessed.

1 session x \$300.00 = \$300.00 less hearing deposit of \$300.00 = \$0.00 net due.

Forum fees Assessed Against:

Respondents, be and hereby are liable, jointly and severally, and shall pay Claimant \$800.00 to represent forum fees.

The NASD shall retain the \$300.00 hearing session deposit and \$500.00 claim filing fee previously deposited by Claimant.

ARBITRATION PANEL

Name

Public/Industry

David Fogel  
David Fogel

Public

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