

## NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

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In the Matter of the Arbitration Between	:	
I. Jack Gural	:	
	:	
Claimant	:	CASE #91-03771
	:	AWARD
vs.	:	
	:	
D.H. Blair & Co., Inc.	:	
	:	
Respondent	:	

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CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on December 2, 1991, Claimant I. Jack Gural who appeared Pro Se, alleged that Respondent D.H. Blair & Co., Inc. failed to follow his instructions to sell his Trilling Medical Technologies and Management Co. Entertainment Group stock, pursuant to his instructions to sell the stock if the price fell below 20% of his purchase price. The Claimant further alleged that although he tried to resolve this dispute through the firm, he has been unsuccessful.

Respondent, D.H. Blair & Co., Inc., through it's in-house counsel, William Badinelli, maintained that the Claimant received account statements indicating the prices of the securities, and that he made no objection to the firm until a letter to its General Counsel. The Respondent further maintained that the evidence indicates that the Claimant decided to hold the shares of stock he'd purchased which resulted in virtually no loss regarding Trilling Medical n/k/a WaterJel, and a loss in Management Co. Entertainment Group Stock which is Mr. Gural's responsibility and which he failed to mitigate.

RELIEF REQUESTED

Claimant, I. Jack Gural requested \$4,100.80 is actual damages.

Respondent D.H. Blair & Co., Inc. requested that the claims of the Claimant be dismissed, and that it be awarded its costs and attorneys' fees.

AWARD

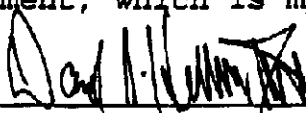
Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Daryl J. Hudson, III, Esq., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on November 22, 1991 and by the Respondent on February 18, 1992.

And, 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. Respondent D.H. Blair & Co., Inc. is liable and shall pay to Claimant I. Jack Gural \$4,100.00 in actual damages.
2. The parties shall bear their respective costs and attorneys' fees.
3. The \$125.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant shall be retained by the NASD.

AFFIRMATION

I, DARYL J. HUDSON, III, 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.



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Signature of Arbitrator

Date of Decision: November 17, 1992