

PUBLIC

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Michael David Hargrove

91-03793

Name of Respondents

Madison Chapin Associates
William Kellman
Mark Allen Bolender

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on December 2, 1991, Claimant Michael David Hargrove, who appeared Pro Se, alleged that on or about July 12, 1991, he received information that his 700 shares of Designcraft Jewelry Industries ("DJI"), in an account with Sovereign Equity Management Corp., formally known as Respondent Madison Chapin Associates, were sold without his authorization. Claimant asserted an Amended Statement of Claim to add Respondents William Kellman and Mark Allen Bolender as responsible parties to his claim.

Sovereign Equity Management Corporation by and through their Director of Compliance, Thomas W. Hands, maintained that they have no affiliation with Respondent Madison Chapin Associates and this arbitration does not apply to them.

Respondent Madison Chapin Associates failed to file an Answer to the Statement of Claim.

Respondent William Kellman failed to file an Answer to the Statement of Claim.

Respondent Mark Allen Bolender failed to file an Answer to the Statement of Claim.

RELIEF REQUESTED

Claimant Michael David Hargrove requested that all transactions done on or about July 12, 1991 be reversed and his account be made whole.

Respondent Madison Chapin Associates failed to file an Answer to the Statement of Claim.

Respondent William Kellman failed to file an Answer to the Statement of Claim.

Respondent Mark Allen Bolender failed to file an Answer to the Statement of Claim.

OTHER ISSUES CONSIDERED & DECIDED

In accordance with Section 13 of the NASD Code of Arbitration Procedure the Respondent Madison Chapin Associates was served a copy of the Statement of Claim by regular mail on February 3, 1992 and given an opportunity to respond, which they failed to do.

The Respondent William Kellman was served by regular mail on November 23, 1992 and given an opportunity to respond, which he failed to do so.

The Respondent Mark Allen Bolender was served by regular mail on November 23, 1992 and given an opportunity to respond, which he failed to do so.

Respondents Madison Chapin Associates, William Kellman and Mark Allen Bolender failed to file an Answer to the Statement of Claim.

Pursuant to the By-Laws of the NASD the arbitrator determined that Respondents Madison Chapin Associates, William Kellman and Mark Allen Bolender were required to submit to this arbitration proceeding and are, therefore, bound by the arbitrator's ruling and determination.

AWARD

Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Mark L. Ripp, 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 October 3, 1991 and not signed by the Respondents Madison Chapin Associates, William Kellman and Mark Allen Bolender as required by Sections 12 & 13 of the NASD Code of Arbitration Procedure.

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. The claims of Claimant Michael David Hargrove against Respondents Madison Chapin Associates, William Kellman and Mark Allen Bolender are dismissed.
2. The parties shall bear their respective costs.
3. The \$850.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant Michael David Hargrove shall be retained by the NASD, Inc.

AFFIRMATION

I, **MARC L. RIPP, 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.

Marc L. Ripp, Esq.
Signature of Arbitrator

DATE OF DECISION: March 9, 1993

STATE OF: New Jersey

SS:

COUNTY OF: Essex

On this 1st day of March, 1993, before me personally appeared Marc L. Ripp, Esq., to me known and known before me to be the individual described in and who executed the foregoing instrument and he duly acknowledged to me that he executed the same.

Carol L. Uzzardi

CAROL L. UZZARDI
A NOTARY PUBLIC OF NEW JERSEY
My Commission Expires May 3, 1995