

N.A.S.D. AWARD

PUBLIC

NATIONAL ASSOCIATION OF SECURITIES DEALERS

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In the Matter of the Arbitration Between

Name of Claimant

Reuel Family Trust u/a/d 9/12/86

92-03903

Name of Respondent

RSR Capital Group, Inc.

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**CASE SUMMARY**

In a claim filed with the National Association of Securities Dealers, Inc. on November 17, 1992, Claimant Reuel Family Trust, who appeared Pro Se, alleged that Respondent RSR Capital Group, Inc. recommended it invest in IDM Participating Mortgage Income Fund Shares, and misinformed the Claimant regarding it's status and problems. The Claimant contended that the Respondent should have kept a closer watch on the firm and been aware of obvious trouble it was experiencing, and that it should be awarded damages due to the Respondent's negligence.

Respondent RSR Capital Group, Inc., through it's representative, Alan M. Stahl, maintained that it did its due diligence and was not negligent in this matter. The Respondent further maintained that the Claimant's loss is due to unforeseeable events, such as the decline of the real estate market, and that it could not know what was going on inside another organization. The Respondent contended that although it is a tragedy that so many investors have lost money, it is not responsible.

**RELIEF REQUESTED**

Claimant Reuel Family Trust u/a/d 9/12/86 requested \$10,000.00 in actual damages.

Respondent RSR Capital Group, Inc. requested that the claims of the Claimant be dismissed.

**AWARD**

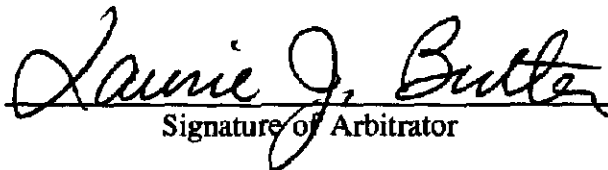
Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Laurie J. Butler, Esq., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on December 22, 1992 and by the Respondent on February 1, 1993.

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 the Claimant Reuel Family Trust against Respondent RSR Capital Group, Inc. are dismissed in their entirety.
2. The parties shall bear their respective costs.
3. The \$150.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant shall be retained by the NASD, Inc.

**AFFIRMATION**

I, LAURIE J. BUTLER, 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.

  
Signature of Arbitrator

DATE OF DECISION: June 29, 1993