

N.A.S.D. AWARD**NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.****In the Matter of the Arbitration Between****Name of Claimant****Argent Petroleum Corporation****and****93-00050****Name of Respondent****Edward D. Jones & Co.****REPRESENTATION OF PARTIES**

Argent Petroleum Corporation ("Claimant") was represented by Rodney Acker, Esq. and Susan M. Hull, Esq. of Jenkins & Gilchrist, Dallas, Texas.

Edward D. Jones & Co. ("Respondent") were represented by Jonathan A. Pace, Esq., Dallas, Texas.

CASE INFORMATION

The Statement of Claim was filed on or about January 6, 1993. Submission Agreement of Claimant was signed on December 30, 1992 by B. Michael Adams.

Statement of Answer was filed by Respondent on or about April 5, 1993. Submission Agreement of Respondent was signed on March 23, 1993 by Cynthia Doria.

HEARING INFORMATION

The hearing was held on Thursday, September 16, 1993 in Dallas, Texas for a total of two (2) sessions.

CASE SUMMARY

Claimant alleged that Respondent breached its agreement, was negligent in its failure to perform the agreement, and failed to return money deposited with it. Specifically, Claimant alleged that funds were wired via Respondent for the purpose of paying transaction charges on a business deal in which it was involved with a company from Nigeria, that Respondent through Don R. Howard and Myles Kelly made representations that it would make the necessary arrangements for the money to be

N.A.S.D. Arbitration No. 93-00050
Award Page 2 of 3

held on account until further instructions from Claimant, that Respondent further represented that the money would be returned if the transaction was not completed, that the transaction was cancelled and the funds were not returned since the money had been released without Claimant's knowledge or approval.

Respondent denied the allegations asserted against it. It was further stated that the account was opened primarily to handle cash, that all negotiations between the Nigerian company and the Claimant were conducted by Claimant's personnel, that it did not participate in the transaction except to follow Claimant's instructions to transfer funds, that it received authorization to release funds, that after it complied with the authorization the Claimant rescinded the transfer, and later received a request to rescind the recall the funds. Respondent further stated that Claimant's own actions were the cause of the damages and the apparent criminal activity of parties in Nigeria is the cause of Claimant's damages and not its actions.

RELIEF REQUESTED

Claimant requested an award of actual damages in the amount of \$99,762.00; prejudgment interest as provided by law; reasonable and necessary attorneys' fees as provided by law; post judgment interest as provided by law; punitive damages in the amount of \$800,000.00; costs of this arbitration; and such other and further relief to which Claimant may be justly entitled.

Respondent requested that the panel deny Claimant's claim in its entirety.

OTHER ISSUES CONSIDERED & 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 N.A.S.D..

AWARD

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

1. The claims asserted in this matter shall be and hereby are dismissed with prejudice.
2. Each party shall bear its own costs, expenses, and attorney's fees incurred in this matter not specifically enumerated herein.

N.A.S.D. Arbitration No. 93-00050
Award Page 3 of 3

FORUM FEES

Pursuant to §43(c) of the N.A.S.D. Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. ("N.A.S.D.") shall retain the non-refundable filing fee in the amount of \$200.00 and shall retain as forum fees the hearing session deposit in the amount of \$750.00 previously deposited with the N.A.S.D. by the Claimant. Respondent shall pay to the N.A.S.D. the sum of \$750.00 as additional forum fees.

Forum fees are calculated at the rate of \$750.00 per hearing session and \$300.00 for each prehearing conference, if any. Fees are payable to the National Association of Securities Dealers, Inc.


Jerry O. Gilmore, Esq.
Public Arbitrator, Presiding Chair


Joe B. Abbey, Esq.
Public Arbitrator


Carroll L. Meredith
Industry Arbitrator

Dated:

Sept 16, 1993

Sept 16, 1993

Sept 16, 1993