

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Christopher N. Wilson

93-00430

Name of Respondent

Kober Financial Corp.

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on February 4, 1993, Claimant Christopher Wilson, through his counsel W. Woody Schlosser, Esq. of Puricelli & Schlosser, St. Louis, MO, alleged that Respondent Kober Financial Corp. misled him into purchasing unsuitable investments such as Galtec, Univenture Capitol Corp. & New Sources Investment, Inc., and later, under the misrepresentation and persuasion of another broker, shares of Health & Leisure, Inc. The Claimant contended that the Respondent breached its fiduciary duty to him by failing to act in his best interest, and that none of the securities he invested in were suitable investments considering the Claimant's lack of sophistication. Claimant Christopher Wilson further contended that the Respondent should be held liable for losses he incurred due to its negligence.

Respondent Kober Financial Corp., through its representative Peter N. Bowinski, maintained that more than six years have elapsed since the purchases were made and, therefore these claims are ineligible for submission.

RELIEF REQUESTED

Claimant Christopher Wilson requested \$6,550.00 in actual damages, plus interest and costs of \$3,074.09.

Respondent Kober Financial Corp. requested that the claims of the Claimant be dismissed.

AWARD

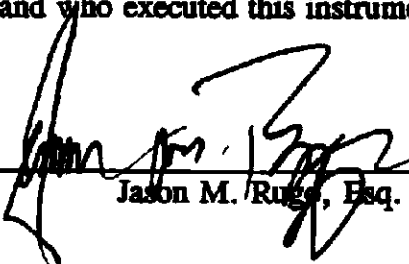
Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Jason M. Rugo, Esq., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on December 1, 1992 and by the Respondent on July 12, 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 Christopher Wilson against Respondent Kober Financial Corp. are dismissed in their entirety, pursuant to Section 15 of the NASD Code of Arbitration Procedure.
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, JASON M. RUGO, 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.



Jason M. Rugo, Esq.

DATE OF DECISION: September 28, 1993