

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Robert Stephen Lane

93-00824

Name of Respondents

Olde Discount Corporation
Edward Stockton

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on March 5, 1993, Claimant Robert Stephen Lane through his counsel Barry H. Alper of Securities Arbitrator Consultants, Boca Raton, FL., alleged that Respondent Edward Stockton of the Respondent firm, Olde Discount Corporation failed to disclose the risks involved with purchasing high-risk securities, and that the Respondent, under the supervision of Respondent Olde Discount Corporation, churned the Claimant's account in order to generate commissions for himself. The Claimant further alleged that these securities which consisted of Chemical BKG Corporation, Immucor Corporation, Biomira, American Travelers Corporation, Ogden Corporation, Healthdyne, Sequoia System Inc. among others were not suitable investments, considering the Claimant's investment objectives and sophistication. The Claimant contended that the Respondents should be held liable for losses he has incurred due to their wrongdoing.

Respondents Olde Discount Corporation and Edward Stockton in a joint statement of answer through their in-house counsel, Lisa S. Fildes, maintained that the Claimant was presented with investment opportunities suited to his objectives financial states, and that most transactions were initiated by the Claimant. The Respondents further maintained that the Claimant was an experienced investor, who was aware of the risks inherent in investing. Respondents Olde Discount Corporation and Edward Stockton contended that the Claimant must be responsible for losses he has sustained as he has taken

advantage of the profits.

RELIEF REQUESTED

Claimant, Robert Stephen Lane requested \$10,000.00 in actual damages, plus interest, attorneys' fees and costs.

Respondents Olde Discount Corporation and Edward Stockton 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, Brian G. Mooney, 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 February 19, 1993, by Respondent Olde Discount Corporation on April 15, 1993 and by Respondent Edward Stockton on April 16, 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 Robert Stephen Lane against Respondents Olde Discount Corporation and Edward Stockton are dismissed in their entirety.
2. The parties shall bear their respective costs.
3. The \$150 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant shall be retained by the NASD.

AFFIRMATION

I, BRIAN G. MOONEY, 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

DATED OF DECISION: September 1, 1993