

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Bob Kirchoff

93-02994

Name of Respondent

Adam Scott Kriftcher

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on August 2, 1993, Claimant Robert G. Kirchoff, who appeared Pro Se, alleged that Respondent Adam Scott Kriftcher purchased for his account a 1000 share block of Lotus Development Corp. stock without his knowledge or consent, and that on the same day the Respondent also sold this stock without his authorization or knowledge. The Claimant contended that he was not aware of these transactions until he received confirmation notices, and that he has suffered damages due to the wrongdoing of this Respondent for which he should be compensated.

Respondent Adam Scott Kriftcher failed to file an Answer to the Statement of Claim.

RELIEF REQUESTED

Claimant Robert G. Kirchoff requested \$1,250.00 in actual damages, plus punitive damages in the amount of \$1,250.00.

Respondent Adam Scott Kriftcher did not file an Answer to the Statement of Claim.

OTHER ISSUES CONSIDERED & DECIDED

In accordance with Section 13 of the NASD Code of Arbitration Procedure reasonable attempts at effecting service upon Adam Scott Kriftcher were made.

Pursuant to the By-Laws of the NASD the arbitrator determined that Respondent Adam Scott Kriftcher did not have notice of this claim although he was required to submit to this arbitration proceeding.

AWARD

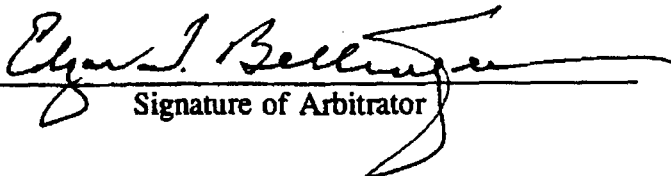
Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Edgar T. Bellinger, was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on July 27, 1993 but not signed by the Respondent as required by Section 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 Robert G. Kirchoff against Respondent Adam Scott Kriftcher are dismissed without prejudice.
2. The parties shall bear their respective costs.
3. The \$50.00 filing fee deposited with the National Association of Securities Dealers, Inc. by the Claimant shall be retained by the NASD, Inc.

AFFIRMATION

I, **EDGAR T. BELLINGER**, 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: April 13, 1994