

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant(s)

Thomas F. and Madeline L. Flynn

Case No. 93-03003

Name of Respondent(s)

Craig Medoff
Brian McGowan

REPRESENTATION

For Claimants, Thomas F. Flynn and Madeline L. Flynn (the "Flynn's"): Pro se.

For Respondents, Craig Medoff and Brian McGowan ("Medoff" and "McGowan"): Pro se (see "Other Issues").

CASE INFORMATION

Statement of Claim filed: August 3, 1993. Claimants Submission Agreement signed: July 29, 1993.

Respondents, Medoff and McGowan, did not file a Statement of Answer or sign Submission Agreements as required by Sections 12 and 25 of the Code of Arbitration Procedure.

HEARING INFORMATION

On August 3, 1994, in Fort Lauderdale, Florida, a hearing lasting one session was conducted.

CASE SUMMARY

Claimants alleged the following violations in the purchase of certain securities from the Respondents: Suitability; fraud; deceit; omission of material fact; and, negligent misrepresentation.

Respondents, Medoff and McGowan, did not submit a Statement of Answer (see "Other Issues").

RELIEF REQUESTED

Claimants requested an Award of compensatory damages in the amount of \$6,188.00 and pre-judgment interest on the compensatory damages.

OTHER ISSUES CONSIDERED & DECIDED

1. Respondents, Medoff and McGowan, failed to submit an executed Submission Agreement, a Statement of Answer, or to appear at the hearing. This Arbitrator finds that it has jurisdiction pursuant to Section 12 of the NASD Code of Arbitration Procedure because Respondents, Medoff and McGowan, were associated persons of an NASD member firm at the time this controversy arose.
2. The Claimants have agreed to receive a conformed copy of the Award while the original remains on file with the NASD.

AWARD

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

1. Respondents, Medoff and McGowan, are found liable jointly and severally and shall pay to the Claimants the amount of \$6,188.00, plus interest at the legal rate of 12% per annum from December 28, 1992 to August 3, 1994 in the amount of \$1,186.06 for a total due to the Claimant of \$7,374.06.

OTHER COSTS

Other than the Forum Fees detailed below, the parties shall each bear all other costs and expenses incurred by them in connection with this proceeding.

FORUM FEES

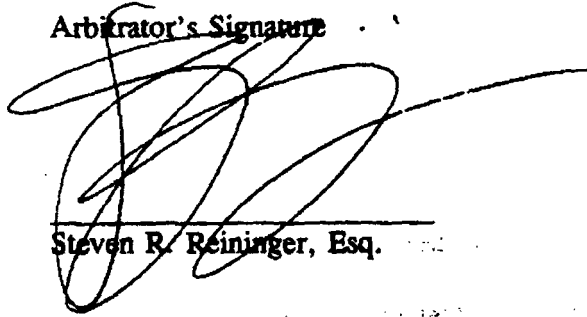
1. Pursuant to Section 43(c) of the Code of Arbitration Procedure, the Arbitrator has assessed forum fees in the amount of \$200.00 (one session x \$200.00 per session).

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2. Respondents, Medoff and McGowan, are hereby assessed \$200.00, jointly and severally, payable directly to the Claimants.
3. The NASD shall retain the non-refundable filing fee of \$75.00 paid by the Claimants.
4. Respondents shall reimburse the Claimants \$75.00 for the non-refundable filing fee.

Arbitrator's Signature

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Steven R. Reininger, Esq.

Date of Decision:

8/11/94