

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Anne Goldman, TTEE/Anne Goldman Trust

93-04097

Name of Respondents

The Chicago Corporation and Christopher Channer

---

**REPRESENTATION OF PARTIES**

For Claimant at the hearing: Pro Se.

For Respondents, The Chicago Corporation and Christopher Channer, at the hearing: Joy Pava Shulruff, Esq. of The Chicago Corporation, Chicago, Illinois.

**CASE INFORMATION**

Statement of Claim filed: October 7, 1993. Claimants' Submission Agreement signed on: October 14, 1993.

Joint Statement of Answer filed by Respondents on: November 30, 1993. Respondent, The Chicago Corporation's Submission Agreement signed on: November 29, 1993. Respondent, Christopher Channer's Submission Agreement signed on: November 30, 1993.

**HEARING INFORMATION**

Hearing date: February 29, 1994 for one (1) session.

Hearing Location: Chicago, Illinois.

**CASE SUMMARY**

Claimant, Anne Goldman, TTEE/Anne Goldman Trust ("Goldman") alleged in her Statement of Claim that Respondents, The Chicago Corporation and Christopher Channer ("Channer") recommended unsuitable securities and churned her account held with The Chicago

Corporation. Goldman alleged that Channer sold her existing stocks and purchased shares of Bank of Boston, A.G. Edwards, Everex Systems, Inc., Gillette Company, National Presto Industries, and Sterling Software, Inc. Goldman further alleged that she was charged excessive commissions and that Everex Systems, Inc. eventually went bankrupt. Goldman alleged that the money gained when her initial stocks were sold was used to purchase speculative, inappropriate, low or no yield stocks, and therefore seeks damages for loss of income and the value of her portfolio.

Respondents, The Chicago Corporation and Channer, in their Statement of Answer, stated that all of their recommendations, including Everex Systems, Inc., were suitable in light of Goldman's stated investment objectives. Respondents stated that Channer suggested Everex Systems, Inc. pursuant to the "buy" recommendation of their Research Department. Respondents also denied churning her account.

#### **RELIEF REQUESTED**

Claimant requested damages in the amount of \$9,937.50.

Respondents requested that the Statement of Claim be dismissed and that Claimant pay their fees and costs.

#### **OTHER ISSUES CONSIDERED & DECIDED**

The parties present at the hearing have agreed that the Award in this matter may be executed by 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 remains on file with the NASD.

#### **AWARD**

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

1. Respondents, The Chicago Corporation and Christopher Channer, shall be and hereby are jointly and severally liable for, and shall pay to the Claimant, Anne Goldman, damages in the amount of Four Thousand, Nine Hundred Sixty Eight Dollars and Seventy Five Cents (\$4,968.75);
2. Claimant's request for interest is denied;

3. Each of the parties shall bear their own costs and expenses, including attorney's fees, other than those specifically set forth under Forum Fees below.

**FORUM FEES**

Pursuant to Section 43(c) of the NASD Code of Arbitration Procedure, the following forum fees are assessed:

1 hearing session X \$200.00 = \$200.00

Pursuant to Section 43(c) of the Code of Arbitration, the NASD shall retain the nonrefundable filing fee in the amount of \$75.00, and shall retain the hearing session deposit in the amount of \$200.00 previously paid to the NASD by the Claimant.

There are no additional forum fees due.

**By The Arbitrator:**

Dated:

3-22-94

s/s Sheldon I. Saitlin, Esq.  
Sheldon I. Saitlin, Esq.  
Presiding, Public Arbitrator

Date Award Served By The NASD: 3-22-94