

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Tucker Anthony Incorporated

93-04483

Name of Respondent

Michael Doane-Dodge

REPRESENTATION

For Claimant, Tucker Anthony, Inc. ("Claimant"), John Hannon located in New York, New York.

Respondent, Michael Doane-Dodge ("Respondent"), did not appear at the hearing.

CASE INFORMATION

Statement of Claim filed: October 26, 1993.

Amended Statement of Claim filed: February 10, 1994

Claimant's Submission Agreement signed on: February 16, 1994.

No Statement of Answer was filed.

No Submission Agreement was filed.

HEARING INFORMATION

Hearing Date/Session: December 7, 1994 - 1 Session

Hearing Location: New York Health & Racquet Club, 3 New York Plaza, New York, New York

CASE SUMMARY

Claimant alleged in October, 1987, Respondent maintained a securities account with Tucker Anthony as broker. To pay for debit obligations, stated claimant, Respondent tendered two checks which were returned for insufficient funds. In order to mitigate their damages, Claimant explained, it made sales in Respondent's account. Claimant maintains that despite formal demands for payment on the debit balance, Respondent has failed to pay the amount owed.

Respondent did not submit an answer nor did he appear at the hearing.

RELIEF REQUESTED

Claimant requested \$3,052.65 plus interest in damages, as well as attorney's fees and costs.

OTHER ISSUES CONSIDERED & DECIDED

The sole arbitrator in this matter determined that the non-answering Respondent had notice of this matter. He then determined that the hearing would go forward pursuant to Section 29 of the NASD Code of Arbitration Procedure.

The parties have agreed that the Award in this matter may be executed in counterpart copies and agreed to receive conformed copies of the Award while the originals remain 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. Respondent is liable to Claimant in the amount of THREE THOUSAND AND THREE HUNDRED NINETY FIVE DOLLARS and FIFTY NINE CENTS (\$3395.59).
2. Respondent is liable to Claimant for Attorney's fees in the amount of ONE THOUSAND DOLLARS AND ZERO CENTS (\$1000.00).

FORUM FEES

Pursuant to Section 44c of the Code of Arbitration Procedure, the following Forum Fees are assessed:

Non-refundable filing fee:	\$300.00
Hearing Session Deposit (\$500.00 x 1 session)	<u>\$500.00</u>
Total Fees:	<u>\$800.00</u>

1. Claimant paid \$800.00 and owes nothing.

Fees are payable to the National Association of Securities Dealers, Inc.

Concurring Arbitrators' Signatures
Name

Public/Industry

Edwin P. Brooks
Edwin P. Brooks

L. A. L. L.

NASD Date of Decision: February 3, 1995