

**N.A.S.D. AWARD**

**NATIONAL ASSOCIATION OF SECURITIES DEALERS**

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**In the Matter of the Arbitration Between**

**Name of Claimants**

**E\*Trade Securities, Inc.**

**94-00241**

**Name of Respondents**

**Chris Hillman  
Brian Pringle**

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**CASE SUMMARY**

In a claim filed with the National Association of Securities Dealers, Inc. on January 20, 1994, Claimant E\*Trade Securities, Inc. ("E\*Trade"), through its representative Tom Laris, alleged that Respondents Chris Hillman and Brian Pringle stopped payment on a check to Claimant for \$17,500.00 on September 30, 1993. Claimant further alleged that in order to cover remaining debits in Respondents' account resulting from the stop payment, it had to liquidate a short position of 1000 shares Paramount Communications, Inc. stock on October 5, 1993. Claimant contended that after this liquidation a debit of \$6,697.17 still remained in Respondents' account. As a result of the above, Claimant alleged it has suffered damages for which the Respondents should be held liable.

Respondents Chris Hillman and Brian Pringle did not file a Statement of Answer.

**RELIEF REQUESTED**

Claimant E\*Trade Securities, Inc. requested \$6,697.17 in actual damages.

Respondents Chris Hillman and Brian Pringle did not file a Statement of Answer.

**OTHER ISSUES CONSIDERED AND DECIDED**

In accordance with Section 13 of the NASD Code of Arbitration Procedure the

Respondents were served by regular mail and given an opportunity to respond, which they failed to do.

Pursuant to the By-Laws of the NASD the arbitrator determined that Respondents Chris Hillman and Brian Pringle had notice of the claim and were required by a pre-dispute arbitration agreement to submit to this arbitration proceeding and are, therefore, bound by the arbitrator's ruling and determination.

**AWARD**

Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single public arbitrator, Harriet H. Harris, was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on March 29, 1994 and not by the Respondents as required by Sections 12 and 13 of the NASD Code of Arbitration Procedure.

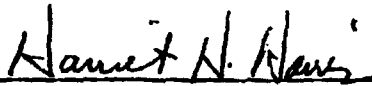
And, the Arbitrator, having considered the proof of the Parties, has decided and determined in full and final resolution of the issues submitted for determination as follows:

1. Respondents Chris Hillman and Brian Pringle are jointly and severally liable and shall pay to Claimant E\*Trade Securities, Inc. \$6,697.17 in actual damages.
2. The parties shall bear their respective costs.
3. The \$575.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant shall be retained by the NASD, Inc. Respondents Chris Hillman and Brian Pringle are jointly and severally liable and shall pay to Claimant E\*Trade Securities, Inc. \$575.00 as reimbursement of the filing fee.

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**AFFIRMATION**

I, **HARRIET H. HARRIS**, do hereby affirm upon my oath of arbitrator that I am the individual described herein and who executed this instrument, which is my oath and award.

  
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Signature of Arbitrator

**DATE OF DECISION:**      October 19, 1994