

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the matter of the Arbitration Between

Name of Claimant

John D. Coons

v.

NASD Arbitration
No. 94-00676

Name of Respondents

H.J. Meyers & Co.,
Brian Donovan and
Adam Merrifield

REPRESENTATION

For Claimant: Pro Se

For Respondents: Robert A. Uhl, Esq.,
Los Angeles, California

CASE INFORMATION

Statement of Claim filed: February 24, 1994

Claimant's Submission Agreement signed: February 16, 1994

Joint Statement of Answer and Counterclaim filed by Respondents: April 29, 1994

Respondents' Submission Agreements signed as follows:

H.J. Meyers & Co.:	April 29, 1994
Brian Donovan:	April 29, 1994
Adam Merrifield:	April 29, 1994

HEARING INFORMATION

A pre-hearing telephone conference lasting one session was held on January 25, 1995.

The evidentiary hearing was held on January 26, 1995, in Los Angeles, California, and lasted two sessions.

CASE SUMMARY

Claimant alleged failure to follow instructions with respect to his purchase of the common stock of Photonics Corporation.

Respondents denied the allegations of the claim, and counterclaimed for the amount owed by Claimant for the shares purchased.

RELIEF REQUESTED

Claimant requested damages of \$2,000.

Respondents requested dismissal of the claim and an award of \$7,504.02 on the counterclaim.

OTHER ISSUES CONSIDERED AND DECIDED

The parties have agreed that the Award in this matter may be executed in 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 arbitrators have decided in full and final resolution of the issues submitted for determination as follows:

1. All claims asserted by Claimant are dismissed in their entirety.
2. All counterclaims asserted by Respondents are dismissed in their entirety.
3. The parties shall each bear their respective costs, including attorney's fees.

FORUM FEES

Pursuant to Section 43(c) of the Code of Arbitration Procedure, the NASD shall retain the \$25 non-refundable filing fee paid by Claimant.

The forum fees are to be divided as follows:

One pre-hearing telephone conference @ \$25/session	- \$	25.00
Two hearing sessions @ \$25/session	-	<u>50.00</u>
Total fees	- \$	75.00
Claimant's share	- \$	25.00
Credit for deposit	-	<u>25.00</u>
Balance due	- \$	0.00
Respondents' share	- \$	50.00

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

ARBITRATORS

Name Public / Industry

Louis R. Eglash

Public Arbitrator

Concurring Arbitrator's Signature


Louis R. Eglash