

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

**NATIONAL ASSOCIATION OF SECURITIES DEALERS**

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In the Matter of the Arbitration Between

Name of Claimant  
John C. Denny

94-01133

Name of Respondent  
Dwight Campbell

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**Representation of Parties**

Claimant John Denny ("Denny") appeared at the hearing and was represented Pro Se.

Respondent Dwight Campbell ("Campbell") of Noble Investment Co. of Palm Beach ("Noble Investment"), Boca Raton, FL, appeared at the hearing and Campbell and Noble Investment were represented by Cory B. Nass of Noble Investment.

**Case Information**

The Statement of Claim, filed on April 21, 1994, included Noble Investment as a Respondent, in addition to Campbell. Claimant's Submission Agreement was signed on April 19, 1994.

The Statement of Answer was filed on or about July 12, 1994. Respondent's Submission Agreement was signed on June 22, 1994.

**Hearing Information**

The hearing was held for one (1) session in Chicago, Illinois on March 14, 1995 for a total of one session.

**Case Summary**

Claimant Denny alleged in his Statement of Claim that Respondent Campbell, while acting on behalf of Noble Investment, failed to sell the "Clucker's" stock and warrants in his (Denny's) account at Noble Investment after being instructed to do so.

Respondent Campbell alleged in his Statement of Answer that he had received "limit order" instructions from Claimant Denny and that such instruction was complied with.

**Relief Requested**

Claimant requests damages in the amount of \$12,750.00.

Respondent requests that the matter be dismissed.

**Other Issues Considered and 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 arbitrators have decided in full and final resolution of the issues submitted for determination as follows:

1. The Statement of Claim is denied;
2. Each of the parties shall bear their own costs and expenses other than those set forth under Forum Fees.

**Forum Fees**

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

one hearing session X \$300 = \$300 minus \$300 hearing session deposit = net \$0 due.

Pursuant to Section 43(c) of the Code of Arbitration, the NASD shall retain the nonrefundable filing fee in the amount of \$100, and shall retain the hearing session deposit in the amount of \$300 previously paid to the NASD by the Claimant.

**By The Arbitrator:**

Dated:

4/6/95

s/s John K. Notz, Jr.  
John K. Notz, Jr., Esq.  
Presiding, Public Arbitrator

Date Award Served By The NASD: 4/7/95