

AWARD

**NASD REGULATION, INC.,
OFFICE OF DISPUTE RESOLUTION**

In the matter of the Arbitration Between

Name of Claimants

William Asher and Joyce Asher

v.

NASD Regulation, Inc.
Arbitration No. 94-01793

Name of Respondents

Reynolds Kendrick & Stratton, Inc.,
Robert Kendrick and
Ruth Sutherland

REPRESENTATION

For Claimants:

Joyce Asher

For Respondent

Reynolds Kendrick & Stratton, Inc.:

Jeffery S. Kob, Esq. and
Cynthia M. Schleindl, Esq.
Miller Milove & Kob
San Diego, California

For Respondent

Robert Kendrick:

In Pro Per

For Respondent

Ruth Sutherland:

Jeffery S. Kob, Esq. and
Cynthia M. Schleindl, Esq.
Miller Milove & Kob
San Diego, California

CASE INFORMATION

Statement of Claim filed: May 13, 1994

Claimants' Joint Submission Agreement signed: April 16, 1994

Joint Statement of Answer filed by Respondents: October 4, 1994

Respondent Reynolds Kendrick & Stratton, Inc.
Submission Agreement signed: October 28, 1994

Respondent Ruth Sutherland's
Submission Agreement Signed: October 3, 1994

HEARING INFORMATION

Full Panel Pre-Hearing Conference Date / Session: October 27, 1995 (1 Session)
July 2, 1996 (1 Session)
January 29, 1996 (1 Session)

Hearing Dates / Sessions: April 22, 1997 (2 Sessions)
April 23, 1997 (2 Sessions)

Hearing Location: Los Angeles, California

CASE SUMMARY

Claimant alleged that Respondents made unsuitable recommendations for Claimant's investment goals when Respondents induced Claimant to purchase securities. Claimant further alleged that Respondents omitted material facts regarding the securities when Respondents induced Claimant to purchase securities.

Respondents denied each and every allegation of wrongdoing set forth in the Claimant's Statement of Claim.

RELIEF REQUESTED

Claimant requested \$113,000.00 in compensatory damages. Claimant further requested any damages that may be awarded by the arbitration panel.

Respondent requested the summary dismissal of the claims. Respondent's also requested attorney's fees, costs, and expenses.

OTHER ISSUES CONSIDERED AND DECIDED

Joyce Asher was dismissed as a claimant on October 27, 1995.

The parties have agreed that the Award in this matter may be executed in either 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 Regulation, Inc. Office of Dispute Resolution.

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. Respondents are jointly and severally liable to and shall pay Claimant William Asher the sum of \$45,500.00 plus 10% interest beginning October 1, 1994 until the judgment is satisfied
2. The parties shall each bear their respective costs, including attorney's fees.

FORUM FEES

Pursuant to Rule 10332(c) of the Code of Arbitration Procedure, the following forum fees are assessed against Respondents jointly and severally:

3 Full Panel Pre-Hearing Conference @ \$750.00/Session	= \$2,250.00
4 Hearing Sessions @ \$750.00/Session	= \$3,000.00
Total Fees Assessed against Respondents jointly and severally:	= \$5,250.00

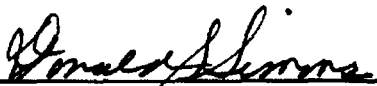
Claimant's Hearing Session Deposit will be refunded by NASD Regulation.

Fees are payable to NASD Regulation, Inc.

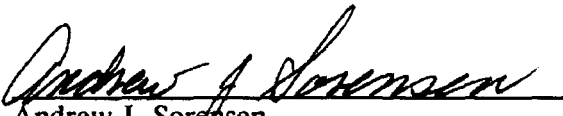
ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
Donald S. Simons, Esq.	Public
Robert L. Schouweiler, Esq.	Public
Andrew J. Sorensen	Industry

Concurring Arbitrators' Signatures


Donald S. Simons, Esq.


Robert L. Schouweiler, Esq.


Andrew J. Sorensen

Date of Decision: 4-24-97

Date of Service: 4-24-97