

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Kenneth Seligson

94-02056

Name of Respondents

J.W. Bullard & Co., Inc.
James W. Bullard, Jr.

REPRESENTATION

Claimant Kenneth Seligson ("Claimant") appeared at the hearing pro se.

Respondent J. W. Bullard & Co., Inc. was not represented at the hearing and Respondent James W. Bullard, Jr. (collectively "Respondents") did not appear at the hearing.

CASE INFORMATION

Statement of Claim filed: June 1, 1994.

Amended Statement of Claim filed: March 7, 1995

Claimant's Submission Agreement signed on: May 24, 1994.

No Statement of Answer was filed nor was a Submission Agreement executed by Respondents.

HEARING INFORMATION

Hearing Date/Sessions: December 11, 1995/one session

Hearing Location: ANA Hotel, Washington, D.C.

CASE SUMMARY

Claimant alleged, among other things, that Respondents made misrepresentations that Respondent J.W. Bullard & Co., Inc. was opening a new office and hiring new brokers. Claimant alleged that these fraudulent statements about the growth potential of Respondent J.W. Bullard & Co., Inc. persuaded Claimant to open an account with Respondents. Claimant alleged Respondents made misrepresentations which induced Claimant to purchase high risk

shares of McGowen Resources, Inc. (MGWN). Claimant alleged that Respondents failed to provide any technical information or prospectus concerning MGWN. Claimant alleged that Respondents breached their fiduciary duty when Respondents failed to properly investigate McGowen Resources, Inc. prior to promoting the shares to customers. Claimant alleged that Respondents violated SEC regulation 15(c)(2)-(6) when Respondents fail to obtain Claimant's signature on a Customer Suitability Statement prior to any transactions taking place. Claimant alleged that Respondents are liable for Claimant's damages as a result of Respondents' misrepresentations and omissions.

Respondents filed no Statement of Answer.

RELIEF REQUESTED

Claimant requested \$3,482.00 in compensatory damages and the fees paid in association with this arbitration.

Respondents filed no Answer.

OTHER ISSUES CONSIDERED & DECIDED

The Presiding Arbitrator exercised his jurisdiction pursuant to Section 12 of the National Association of Securities Dealers ("NASD") Code of Arbitration Procedure ("Code") over Respondents J.W. Bullard & Co., Inc. and James W. Bullard, Jr. (Attached as Exhibit A is the second notice and hearing information sent by Federal Express). Therefore, Respondents J.W. Bullard & Co., Inc. and James W. Bullard, Jr. are bound by the rulings and determinations of the Presiding Arbitrator.

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. That Respondents are jointly and severally liable to Claimant and shall pay to Claimant the sum of \$1,600.00 exclusive of interest.
2. Any and all claims not specifically addressed herein are denied in their entirety.

FORUM FEES

Pursuant to Section 43(c) of the Code, the following Forum Fee is assessed.

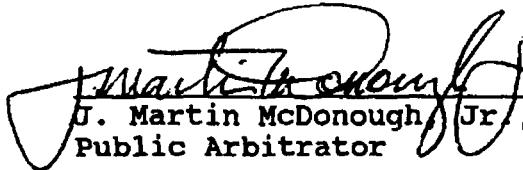
1 sessions X \$100.00 = \$100.00

Forum fees assessed against Respondents. Respondents are jointly and severally liable to reimburse Claimant for the previously deposited hearing session deposit of \$100.00. In addition, Respondents are jointly and severally liable to Claimant and shall reimburse to Claimant the sum of \$50.00 for the filing fee previously deposited by Claimant.

Date

Arbitrator's Signature

12/26/95


J. Martin McDonough, Jr., Presiding
Public Arbitrator

Date Award Served by NASD:

December 28, 1995