

**NATIONAL ASSOCIATION OF SECURITIES DEALERS
AWARD**

In the Matter of the Arbitration Between

GUY MIALI,

Claimant,

v.

NASD No. 94-2238

WESTMARK SECURITIES CORPORATION
and RONALD CATTO,

Respondents.

Representation

For Claimant: Guy Miali of Bellingham, Washington

For Respondent: Ronald Catto of Westmark Securities, Santa Monica, California

Case Information

Statement of Claim filed: June 9, 1994

Claimant's Submission Agreement signed: June 9, 1994

Statement of Answer filed on: Although duly served, Respondents did not file an Answer.

Respondents' Submission Agreement signed on: Although duly served, Respondents did not file Submission Agreements or appear at the arbitration, but are subject to National Association of Securities Dealers (NASD) jurisdiction in accordance with NASD Code of Arbitration Procedure Section 12

Hearing Information

Prehearing Conference Date(s)/Sessions: None

Hearing Date/Sessions: February 27, 1995/one

Hearing Location: Seattle, Washington

Case Summary

Claimant alleged:

Failure to execute sell order of Canton Industrial Corporation (CIC). Claimant Guy Miali (Miali) purchased 4800 shares of CIC at \$1.00/share from Respondents. He put in an order to sell the stock approximately two months later, which Respondents failed to execute. Respondent Ronald Catto sent a personal check to Miali in the amount of \$3,400, which was returned for insufficient funds.

Respondents did not file an Answer.

Relief Requested

Claimant requested:

1. Compensatory damages of \$5,553.06;
2. Costs.

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 originals remain 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. Respondents are jointly and severally liable and shall pay Claimant the sum of \$5,553.06;
2. The parties shall each bear their respective attorney's fees;
3. The parties shall each bear their respective costs.

Other Costs

None.

Forum Fees

Pursuant to Section 43(c) of the Code of Arbitration Procedure, the following forum fees are assessed: The National Association of Securities Dealers, Inc., shall retain the \$200 hearing session deposit previously paid by the claimant. Forum fees are assessed against:

Respondents, jointly and severally, for \$200,

calculated as follows: one hearing session at \$200/hearing session, equals

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

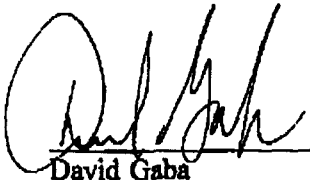
Arbitration Panel

Name

Public/Industry

David Gaba

Public



David Gaba

Date of Decision: 3/9/95