

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the matter of the Arbitration Between

Name of Claimant(s)

Dean Witter Reynolds Inc.

NASD Arbitration

No. 95-03515

Name of Respondent(s)

Gregory L. Chilcote

REPRESENTATION

For Claimant: Ann C. Liburd, Esq., Burr, Pease & Kurtz, Anchorage, Alaska

For Respondent: Gregory L. Chilcote, Anchorage, Alaska

CASE INFORMATION

Statement of Claim filed: July 10, 1995

Claimant's Submission Agreement signed: July 17, 1995

Statement of Answer filed by Respondent: February 26, 1996

Respondent's Submission Agreement signed: February 27, 1996

HEARING INFORMATION

Pre-Hearing Conference Date(s)/Session(s): None

Hearing Date(s)/Session(s): December 3, 1996 two sessions

Hearing Location: Anchorage, Alaska

CASE SUMMARY

Claimant Dean Witter Reynolds Inc. alleged that Respondent Gregory L. Chilcote is liable to Dean Witter for monies owed under the parties' Account Executive Agreement of November 16, 1992 (Agreement).

Respondent Chilcote denied any liability to Dean Witter and further denied that he willfully violated the terms of the parties' employment agreement.

RELIEF REQUESTED

Dean Witter requested:

1. The amount of \$23,498.40 under the Agreement;
2. Interest at the legal rate from November 16, 1992 to the date of the arbitration award;
3. Costs; and
4. Any and all further relief which the panel deems just and proper.

OTHER ISSUES CONSIDERED AND DECIDED

Prior to the hearing, the parties agreed to accept two industry arbitrators and one public arbitrator with respect to the panel in this matter.

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 originals remain on file with the National Association of Securities Dealers, Inc. (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 panel found in favor of Dean Witter Reynolds Inc. against Gregory L. Chilcote, but determined that the damage amount is zero.

2. The parties shall each bear their respective costs including attorney's fees.

FORUM FEES

Pursuant to Section 44(c) of the Code of Arbitration Procedure, the following forum fees are assessed: The NASD shall refund the \$600.00 hearing session deposit previously deposited by Dean Witter Reynolds Inc. Forum fees are assessed against Respondent Gregory L. Chilcote in the amount of \$1,200.00, calculated as follows: Two hearing sessions times \$600.00.

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

ARBITRATORS

Name _____ Public / Industry

Alfred P. Knoll, Esq.

Public Arbitrator

Margaret R. Price

Industry Arbitrator

Frank Weaver

Industry Arbitrator

Concurring Arbitrators' Signatures



Alfred P. Knoll, Esq.

Margaret R. Price

Frank Weaver

Date of Decision: _____

Date Served: 12/30/96

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