

AWARD

NASD REGULATION, INC., OFFICE OF DISPUTE RESOLUTION

In the matter of the Arbitration Between

Name of Claimant

Percy Garcia

v.

Arbitration No.
95-03769

Name of Respondent

Brokers Investment Corporation and Barry Ray

REPRESENTATION

For Claimant:

David L. Casterline, Esq.
Casterline & Agajanian
Los Angeles, California

For Respondent:

No Appearance

CASE INFORMATION

Statement of Claim filed:

August 1, 1995

Claimant's Submission Agreement signed:

June 8, 1995

HEARING INFORMATION

Hearing Dates / Sessions:

March 2, 1998 (2 Sessions)

Hearing Location:

Los Angeles, California

CASE SUMMARY

Claimant alleged that Respondents made misrepresentations, omissions and acted fraudulently in connection with the sale of securities. Claimant also alleged that Respondents made unsuitable investment recommendations, breached their fiduciary duty owed to the Claimant, and breached their contract with the Claimant. Claimant further alleged Respondent Brokers Investment

Corporation failed to properly supervise its broker, Respondent Barry Ray.

Respondents did not file an answer.

RELIEF REQUESTED

Claimant requested \$1,000,000.00 in compensatory damages. Claimant also requested \$5,000,000.00 in punitive damages or alternatively, RICO damages.

OTHER ISSUES CONSIDERED AND DECIDED

The parties have agreed that the Award in this matter may be executed either 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 original remains on file with the NASD Regulation, Inc., Office of Dispute Resolution.

The Arbitration Panel found that service of process was effected on Respondent Barry Ray on June 10, 1997.

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 the sum of \$66,672.00 in compensatory damages.
- 2) Respondents are jointly and severally liable to and shall pay Claimant the sum of \$40,000.00 in interest.
- 3) Respondents are jointly and severally liable to and shall pay Claimant the sum of \$300.00 for the cost of filing the claim.
- 4) Interest shall accrue on this award at 10% per annum until paid.
- 5) Claimant's request for punitive damages is denied.
- 6) Claimant's request for RICO damages is denied.
- 7) Each party is to bear its own costs, including attorney's fees.

FORUM FEES

Pursuant to Rule 10332(c) of the Code of Arbitration Procedure, the following forum fees are assessed:

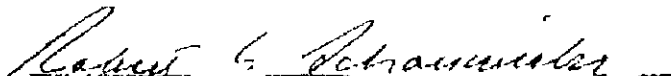
<u>Two Hearing Sessions @ \$1500.00 / Session</u>	<u>= \$3,000.00</u>
Total Fees Assessed Respondents Brokers	
Investment Corporation and Barry Ray	
(jointly and severally)	= \$3,000.00

Fees are payable to NASD Regulation, Inc.

ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
Robert L. Schouweiler, Esq	Public Arbitrator
Mary E. Cobb	Industry Arbitrator
Robert P. Louie, JD	Public Arbitrator

Concurring Arbitrators' Signatures


Robert L. Schouweiler, Esq.

Mary E. Cobb

Robert P. Louie, JD

Date of Service: _____

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Robert L. Schouweiler, Esq.

Mary E. Cobb



Robert P. Louie, JD

Date of Service: MARCH 4, 1998