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N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Milton Lee Dobison

9503770

Name of Respondents

Barron Chase Securities, Inc.
David Kleber
Rodney Declay Sailor
Joseph D. Cornwell

National Association of
Securities Dealers, Inc.

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CASE SUMMARY

In a case filed with the National Association of Securities Dealers, Inc. on August 4, 1995, claimant Milton Lee **Dobison**, who appeared Pro Se, alleged that respondent Rodney **Declay** Sailor ("Sailor") made unauthorized trades in his account. Claimant further alleged that on November 25, 1994, his account was transferred over to respondent **Barron Chase Securities, Inc.** ("Barron") from **Josephthal, Lyon & Ross**, when his broker Sailor joined the firm. Claimant also alleged that he transferred over 25 shares of LIDAK and 2,750 shares of MISONIX. Claimant further asserted that he tried numerous times to get in touch with Sailor, but Sailor did not return his calls. Claimant also asserted that he finally got in touch with another representative at **Barron**, Ms. Bowers, who informed him that he had been given a new account number and that his account had 300 shares of VISTA 2000 and 25 shares of MISOMX. Claimant contended that he was amazed to hear the status of his account due to the fact that he did not authorize those trades. Claimant further contended that when he asked Ms. Bowers why he was not receiving any statements, she responded by telling him that **Barron** had the wrong address. Claimant also contended that after giving Ms. Bowers the correct address, he received his account statement which showed trades taking place in his account without his authorization. Claimant contended that once he received this statement he spoke with **Barron's** House Representative Mr. Joseph Cornwell ("Cornwell"), who after several conversation finally credited his account on December 31, 1994, with 2,750 shares of MISONIX. Claimant alleged on January 16, 1995, 2,600 shares of MISONIX was sold out of his account without his authorization. Claimant further alleged that on January 30, 1995, he received a 1994 Composite Statement 1099 forms that \$4,598.13 was reported to the IRS and \$829.25 was reported for income tax purposes. Claimant also alleged that he owes taxes on money that he had not received. Claimant asserted that respondent David **Kleber** the firms Compliance Officer should have been more cooperative in this matter. Claimant further asserted that Joseph Cornwell, as House Representative, knew what was going on within his firm and knew what Sailor was doing to his account. Claimant also asserted that Rodney Sailor misled his account without informing him of what actions were taking place in his account. Claimant contended due to the illegal transactions and mismanagement of his account he

has lost out on the opportunity to purchase four stocks, Vista 2000 ("VIST"), Lo Jack Corp ("LOJN"), Quipp Inc. (QUIP), and Auspex Systmes Inc.(ASPX), all of which are trading at a price higher then when he originally wanted to purchase them.

Claimant's amendment to the statement of claim alleged that respondent **Daren** Dickson put him into tax problems with the IRS. Claimant further alleged that Dickson had reopened his account at **Barron** and purchases 3000 warrants for \$0.12 and sold it with a principal value of **\$5,250.00**. Claimant also alleged that Dickson asked him to pay \$375.00 for the initial purchase of the warrants. Claimant asserted that he did not send the money, so Dickson sold the stock and took the \$375.00 out of the principal value to cover the cost of the warrants. Claimant asserted that Dickson advised him of all the things he would do to make his account profitable if he would terminate the arbitration suit. Claimant also asserted that after listening to Dickson things started changing for the worst. Claimant contended that he wants to be compensated for the what he had lost, the pain and suffering, and stressful hardship of this matter.

Respondent **Barron** Chase Securities, Inc. failed to file an Answer to the Statement of Claim.

Respondent David **Kleber** failed to file an Answer to the Statement of Claim.

Respondent Rodney Declay Sailor failed to file an Answer to the Statement of Claim.

Respondent Joseph D. **Cornwell** failed to file an Answer to the Statement of Claim.

RELIEF REQUESTED

Claimant Milton Lee **Dobison** requested **\$5,643.45**, for the stocks he lost out on due to the illegal transactions and mismanagement in his account; plus **\$4,000.00** in restitution..

Respondent **Barron** Chase Securities, Inc. failed to file an Answer to the Statement of Claim.

Respondent David **Kleber** failed to file an Answer to the Statement of Claim

Respondent Rodney Declay Sailor failed to file an Answer to the Statement of Claim.

Respondent Joseph D. **Comwell** failed to file an Answer to the Statement of Claim.

OTHER ISSUES CONSIDERED & DECIDED

In accordance with Section 13 of the NASD Code of Arbitration Procedure, respondents **Barron Chase Securities, Inc.**, David **Kleber**, Rodney Declay Sailor, and Joseph **Cornwell** were served by regular mailed and given an opportunity to respond, which failed to do. In addition, service of the overdue answer notice and **notification** of the Arbitrator's identity was effected upon the respondents **Barron Chase Securities, Inc.** and David Kleber, as evidenced by the signed returned signature card on file at the NASD.

Pursuant to the By-laws of the NASD, the arbitrator determined that Respondents **Barron Chase Securities, Inc.**, David Kleber, Rodney Declay Sailor and Joseph Cornwell had notice of the claim, and was required to submit to this arbitration proceeding; and is, therefor, bound-by the arbitrator's ruling and determination.

The arbitrator reviewed and considered all documentation submitted by the parties concerning claimant Milton Lee Dobison's motion to amend his statement of claim by adding **Daren R. Dickson** as a respondent. The motion is denied

AWARD

Pursuant to Section 13 of the NASD, Inc. code of Arbitration Procedure, a single Public Arbitrator, **Arnald B. Crews, Esq.**, was selected to review the matter in controversy between the parties set forth in submissions to Arbitration signed by claimant Milton Lee **Dobison**, on August 1, 1995 and not by respondents **Barron Chase Securities, Inc.**, David Kleber, Rodney Declay Sailor and Joseph **Cornwell** as required by Sections 12 and 13 of the NASD, Inc. Code of Arbitration Procedure.

And, the Arbitrator, having considered the proof of the parties, has decided and determined in full and final resolution of the issues submitted for determination as follows:

1. The claims of claimant Milton Lee **Dobison** against respondents **Barron Chase Securities, Inc.**, David **Kleber**, Rodney Declay Sailor, and Joseph **Cornwell** are dismissed in their entirety.
2. The parties shall bear their respective costs.
3. The \$150.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by claimant Milton Lee **Dobison** shall be retained by the NASD, Inc.

9608112

Affirmation

STATE OF

Va

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SS:

City
COUNTY OF

Norfolk

I, *ARNOLD B. CROW*, do hereby affirm upon my oath
as arbitrator that I am the individual described in and who executed this instrument,
which is my oath and award.

Date

Arnold B. Crow
Signature of Arbitrator

Arnold B. Crow, Esq.
P.O. Box 7208
Norfolk, VA 23509-7208

Date of Decision: August 27, 1996