

AWARD

NASD REGULATION, INC., OFFICE OF DISPUTE RESOLUTION

In the matter of the Arbitration Between

Name of Claimant(s)

Francis L. Chew and
Alice L. Chew, Trustees of the Chew
1989 Family Trust, and James T. Nelson,
as Undivided Tenants-In-Common

Arbitration
No. 95-04639

Name of Respondent(s)

TITAN/Value Equities Group, Inc.

REPRESENTATION

For Claimants: J. Leo Federman, Investors Rights Association,
Inc., Santa Barbara, California

For Respondent: Fredrick A. Rafeedie, Esq., Jones, Bell, Simpson,
Abbott, Fleming & Taylor, Los Angeles, California

CASE INFORMATION

Statement of Claim filed: November 2, 1995

Claimants' Submission Agreement signed: August 4, 1995

Statement of Answer filed by Respondent: January 12, 1996

Respondent's Submission Agreement signed: December 1, 1995

HEARING INFORMATION

Pre-Hearing Conference Date(s)/Session(s):

August 5, 1996 (one session)

October 7, 1996 (one session)
December 23, 1996 (one session)

Hearing Date(s)/Session(s): May 19, 1997 (two sessions)
May 20, 1997 (two sessions)
May 21, 1997 (one session)

Hearing Location: San Francisco, California

CASE SUMMARY

Referencing their investment in IDM Oak Park North Limited Partnership, Claimants alleged that their claims are based on Respondent's violation of the fiduciary and contractual relationship between Claimants and Respondent. Claimants further alleged that this violation was committed by Respondent whose wrongful conduct may, in a court of law, give rise to causes of action by engaging in fraud and deceit; breach of fiduciary duty; negligence; and breach of contract. Claimants further alleged that Respondent violated various self-regulatory rules including, without limitation, the NASD Rules of Fair Practice, the rules of the New York Stock Exchange, and/or the rules of the American Stock Exchange.

Respondent generally and specifically denied each of the claims asserted by Claimants and alleged that this case involves disappointed investors rather than defrauded investors. Respondent further alleged that the subject investment was suitable for Claimants in light of Claimants' stated investment objectives, Claimants' overall financial situation, and Claimants' education and experience in financial matters. Respondent further alleged that Claimants were aware of the risks associated with the investment they made and voluntarily assumed those risks. Respondent further alleged that at no time did TITAN/Value Equities Group, Inc. (Titan) or Steven West, formerly affiliated with Titan, misrepresent any of the risks associated with the investment made by Claimants. Respondent also asserted affirmative defenses.

RELIEF REQUESTED

Claimants requested:

1. Rescission of some or all the investment interests,

as may be applicable;

2. An award of compensatory damages caused as a result of economic losses, less distributions received as a result of the investment, and according to proof at the arbitration hearing;

3. Pre-award and post-award interest from the date of each investment at issue, according to proof at the arbitration hearing;

4. Costs of arbitration and expenses, including but not limited to, reasonable attorneys fees, consulting fees, expert witness fees, if applicable and as allowed, and for any other costs deemed reasonable and just;

5. Punitive damages and exemplary damages (see Mastrobuono v. Shearson Lehman Hutton, Inc. (1995) 115 S.Ct. 1212); said sum to be determined by the panel of arbitrators; and

6. Such other and further relief as the arbitrators deem just and equitable.

Respondent requested:

1. That Claimants take nothing by reason of their Claim, and that an Award be entered in favor of Respondent;

2. An award of costs; and

3. Such other and further relief as the panel may deem just and proper.

OTHER ISSUES CONSIDERED AND DECIDED

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 NASD Regulation, Inc. (NASDR).

FINDINGS

1. Claimants failed to show liability on the part of Titan as contained in their Claim.

2. If Regulation D applies (the panel makes no finding as to its applicability), then the proper entity to be charged with alleged violations, if any, is IDM Corporation, the issuer, not Titan, the broker. In any event, the panel finds that Claimants jointly met at least one (and one only is required) of the

alternatives (\$150,000.00 investment) for purposes of being considered as an "accredited" investor.

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. All claims by Claimants, including the claims for punitive and exemplary damages, are dismissed.
2. The parties shall each bear their respective costs including attorney's fees.

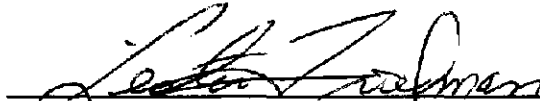
FORUM FEES

Pursuant to Section 10332(c) of the Code of Arbitration Procedure, the following forum fees are assessed: The NASDR shall retain the \$750.00 hearing session deposit previously deposited by the Claimants as costs of this proceeding. No additional forum fees are assessed.

ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
Lester Friedman, Esq.	Public Arbitrator
John T. Collentine	Public Arbitrator
Robert I. Recker, Jr.	Industry Arbitrator

Concurring Arbitrators' Signatures



Lester Friedman, Esq.

John T. Collentine

Robert I. Recker, Jr.

Date of Decision: 6-4-97

Date served: 6/13/1997

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