

**N.A.S.D. AWARD**

**NATIONAL ASSOCIATION OF SECURITIES DEALERS**

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In the Matter of the Arbitration Between

Name of Claimants

Rodney L. and Bette J. Goe

95-05009

Name of Respondent

John Dickson  
Barret Day Securities, Inc. (Bankrupt)

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**CASE SUMMARY**

In a claim filed with the National Association of Securities Dealers, Inc. on October 23, 1995, claimants Rodney L. and Bette J. Goe ("claimants"), who appeared Pro Se, alleged that they purchased 300 shares of TWVI from Barrett Day Securities (bankrupt). Claimants further alleged that they purchased an additional 400 shares of TWVI from Barrett Day Securities. Claimants also alleged that they requested their stock certificates to be sent UPS RED, and were told to send a \$15.00 check, which they did. Claimants asserted they spoke with respondent John Dickson after not receiving any money or the stock certificates. Claimants further asserted that Mr. Dickson said he confirmed the authorization through the clearing house, and that the certificates were to be sent. Claimants also alleged that on February 21, 1995, Barrett Day sold 313 shares of their stock without authorization. Claimants contended that they spoke with Mr. Dickson on February 27, 1995, and he told them that he would reverse the sale of the stock and that it was an error. Claimants further contended that they called the clearing house, who informed them the stock was issued back to Barrett Day, but that Barrett Day kept the stock certificates. Claimants also contended that when they spoke to the clearing house, they were informed that there was no authorization from Barrett Day to issue the stock to them.

Respondent John Dickson failed to file an Answer to the Statement of Claim.

**RELIEF REQUESTED**

Claimants Rodney L. and Betty J. Goe requested \$5,636.00 in actual damages.

Respondent John Dickson failed to file an Answer to the Statement of Claim.

**OTHER ISSUES CONSIDERED & DECIDED**

Although reasonable attempts at service were made on respondent John Dickson, the NASD was unable to locate this respondent.

**AWARD**

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Alan R. Markizon, Esq., was selected to review the matter in controversy between the parties set forth in submissions to Arbitration signed by the claimant Rodney L. and Bette J. Goe, on May 5, 1996, and by respondent John Dickson as required by Section 12 and 13 of the NASD, Inc. Code of Arbitration Procedure.

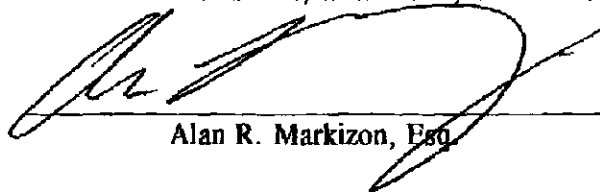
And, the Arbitrator, has decided and determined:

1. The claims of the claimants Rodney L. and Bette J. Goe against respondent John Dickson are dismissed without prejudice. The claims of the claimant Rodney L. and Bette J. Goe may be refiled when the respondent John Dickson can be located and served.
2. The \$150.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the claimants Rodney L. and Bette J. Goe shall be retained by the NASD, Inc.

**AFFIRMATION**

**AFFIRMATION**

I, **Alan R. Markizon, Esq.**, do hereby affirm, upon my oath as arbitrator that I am the individual described herein and who executed this instrument, which is my oath and award.



Alan R. Markizon, Esq.

Date of Decision:      **July 29, 1996**