

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Associated Securities Corporation

96-00837

Name of Respondent

Mark Wayne Wiklund

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on February 26, 1996, Claimant Associated Securities Corporation ("ASC") and, who appeared through its representative and in-house counsel Neal E. Nakagiri, Esq., alleged that respondent Mark Wayne Wiklund ("Respondent") failed to pay fees owed to ASC. Claimant further alleged that Wiklund signed ASC's independent contractor agreement ("Agreement") dated January 19, 1995. Claimant also alleged that respondent was dismissed from ASC when he failed to respond to phone calls and written letters on August 7, 1995. Claimant contended that according to the terms of the Agreement, upon dismissal respondent was responsible for various terminations fees, office service fees, insurance fees, etc., which after adjustments totalled \$857.45. Claimant further contended that no money has been received despite repeated attempts to contact respondent. Claimant asserted that due to the wrongdoing of the respondent, it has suffered damages for which the respondent should be held liable.

Respondent Mark Wayne Wiklund failed to file a Statement of Answer.

RELIEF REQUESTED

Claimants Associated Securities Corporation requested \$857.45, interest and filing fees.

Respondent Mark Wayne Wiklund failed to submit a Statement of Answer.

OTHER ISSUES CONSIDERED AND DECIDED

In accordance with Section 10 of the NASD Code of Arbitration Procedure, the Respondent Mark Wayne Wiklund was served by regular mail and given an opportunity to respond which he failed to do. In addition, service of the overdue answer notice and notification of the Arbitrator's identity was effected upon the Respondent Mark Wayne Wiklund, as evidenced by the signed signature card on file at the NASD, Inc.

Pursuant to the By-laws of the NASD, the Arbitrator determined that Respondent Mark Wayne Wiklund had notice of the claim, and was required to submit to this arbitration proceeding; and is, therefore, bound by the arbitrator's ruling and determination.

AWARD

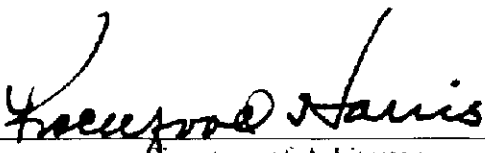
Pursuant to Section 10 of the NASD, Inc. Code of Arbitration Procedure, a single Industry Arbitrator, Rachford Harris, was selected to review the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant Associated Securities Corporation on February 26, 1996, but not by the Respondent Mark Wayne Wiklund as required by Sections 8 and 10 of the NASD 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. Respondent Mark Wayne Wiklund is liable and shall pay to Claimant Associated Securities Corporation \$857.45 in actual damages.
2. The parties shall bear their respective costs.
3. The \$575.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant Associated Securities Corporation and shall be retained by the NASD, Inc. Respondent Mark Wayne Wiklund is liable and shall pay to Claimants Associated Securities Corporation \$575.00 as reimbursement of the filing fee.
4. All other relief requests are denied.

AFFIRMATION

I, **RACHFORD HARRIS**, 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.



Signature of Arbitrator

DATE OF DECISION: October 4, 1996