

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the matter of the Arbitration Between

Name of Claimant(s)

Louis R. Gallovich and Frances Gallovich

NASD Arbitration
No. 96-01058

Name of Respondent(s)

Advantage Capital Corporation and Robert Louis Hesslink

REPRESENTATION

For Claimant:

Raymond Gaitan, Esq.
Gaitan & Parks
Orange, California

For Respondent Advantage Capital Corporation:

James Reynolds
Advantage Capital Corporation
Houston, Texas

For Respondent Robert Louis Hesslink:

Robert Louis Hesslink, in pro per
Riverside, California

CASE INFORMATION

Statement of Claim Filed:

March 11, 1996

Claimants' Submission Agreement Signed:

February 26, 1996

Statement of Answer Filed by Respondent:

May 10, 1996

Respondent Advantage Capital Corporation's
Submission Agreement Signed:

May 8, 1996

Respondent Robert Louis Hesslink's
Submission Agreement Signed:

May 6, 1996

HEARING INFORMATION

Hearing Date(s) / Session(s):

October 1, 1996 (2 sessions)

Hearing Location:

Los Angeles, California

CASE SUMMARY

Claimants allege they were misled by the Respondents and that Respondents were negligent, violated the NASD Rules of Fair Practice and breached their fiduciary duties to the Claimants. Specifically, Claimants asserted they instructed Respondents to transfer to Claimants' son and daughter-in-law 121 shares of Kemper Technology Fund-A, held in Claimants account with Respondents. Claimants further alleged that contrary to these verbal instructions, Respondents transferred to Claimants' son and daughter-in-law, 1800 shares of Kemper Technology Fund held by the Claimants, causing them to suffer severe financial hardship when their son and daughter-in-law refused to return the shares to their parents.

Respondents denied Claimants' claims in their entirety.

RELIEF REQUESTED

Claimants sought: (1) rescission of the transfer of the Kemper Technology Fund-A shares; (2) damages of \$20,000; (3) costs, expenses and attorneys fees; (4) pre-judgment interest; and (5) such other relief as the arbitration panel demand as just and proper.

Respondents sought (1) dismissal of Claimants' claims and (2) costs and fees associated with the arbitration.

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 original remains on file with the NASD.

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. Claimants' claims are denied in their entirety.
2. Each party shall bear their own costs and attorneys' fees.
3. Forum Fees are assessed against Claimants.

FORUM FEES

Pursuant to Section 43(c) of the Code of Arbitration Procedure, the following forum fees are assessed against Claimants:


One (1) Hearing Session @ \$300.00/Session	= \$300.00
Total Forum Fees Assessed	= \$300.00
Claimants' Credit for Hearing Session Deposit	= \$300.00
Claimants' Balance Due	= \$00.00

Fees are payable to the National Association of Securities Dealers, Inc.

ARBITRATORS

Name _____ Public / Industry
Sandra Malek, Esq.

Arbitrator's Signature


Sandra Malek, Esq.

Date of Decision: _____

Date of Service: 11/26/96