

7/11/96

**AWARD**

**NASD REGULATION, INC., OFFICE OF DISPUTE RESOLUTION**

In the matter of the Arbitration Between

**Name of Claimant(s)**

Clifford Terrel Waters

v.

Arbitration No.  
96-02573

**Name of Respondent(s)**

James M. Bock  
Keith Youngswick  
Jeff Streich  
Karen Billings

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**REPRESENTATION**

Claimant represented himself, as did each answering Respondent.

**CASE INFORMATION**

Statement of Claim filed: June 4, 1996

Claimant's Submission Agreement signed: June 4, 1996

Statement of Answer by Respondents as follows:

James M. Bock:	October 18, 1996
Keith Youngswick:	September 16, 1996
Karen Billings:	June 27, 1996

Respondents' Submission Agreement signed:

James M. Bock: None submitted  
Keith Youngswick: None submitted.  
Karen Billings: June 25, 1996.

### **HEARING INFORMATION**

The hearing was held in San Francisco, California, on November 3, 1997, and lasted 2 sessions.

### **CASE SUMMARY**

Claimant alleged misrepresentation, lack of suitability, and failure to execute with respect to his investment in common shares of American Pleasure and units of Beacon Securities Private Placement.

Respondents each denied the allegations of the Claim and denied liability for any losses suffered by Claimant. Respondents each asserted that another broker, not part of this action, was responsible for the activities in Claimant's account.

### **RELIEF REQUESTED**

Claimant requested compensatory damages of \$17,645.66, plus treble damages of \$52,936.98 on the American Pleasure investment. Claimant requested compensatory damages of \$12,500.00, plus treble damages of \$37,500.00 on the Beacon Securities Private Placement.

### **OTHER ISSUES CONSIDERED AND DECIDED**

Service of the claim was never perfected with respect to Respondent Jeffrey Streich. This award, therefore, does not pertain to him.

Respondents Bock and Youngswick appeared at hearing via telephone conference call.

The parties have agreed to receive conformed copies of the Award while the originals remain on file with NASDR, Inc.

**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 asserted against Respondent Karen Billings are dismissed in their entirety.
2. Respondent James M. Bock is liable for and shall pay to Claimant the sum of \$14,240.00 in satisfaction of all claims.
3. Respondent Keith Youngswick is liable for and shall pay to Claimant the sum of \$3,184.00 in satisfaction of all claims.
4. The claims for treble damages are dismissed.
5. The parties shall each bear their respective costs, including attorney's fees.

**FORUM FEES**

Pursuant to Section 10332 of the Code of Arbitration Procedure, the NASDR shall retain the \$150.00 non-refundable filing fee.

Forum fees are to be assessed as follows:

Total fees:

2 hearing sessions @ \$500/session	<u>\$1000.00</u>
Claimant's one-quarter share	\$ 250.00
Credit for deposit	<u>(\$ 500.00)</u>
Refund due:	<u>(\$ 250.00)</u>
Respondent Bock's one-half share	<u>\$ 500.00</u>
Respondent Youngswick's one-quarter share	<u>\$ 250.00</u>

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

011045

Concurring Arbitrators Signatures:

Date signed:

Robert L. Gorman

Nov. 12, 1997

Robert L. Gorman, Esq.  
Presiding Chairperson  
Public Arbitrator

Paul F. Faberman  
Public Arbitrator

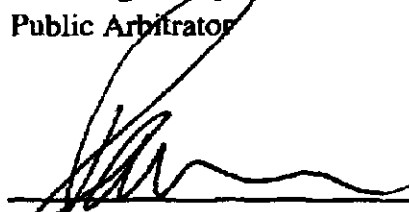
Paul A. D. Davis  
Securities Industry Arbitrator

Date served: 11/18/1997

Concurring Arbitrators Signatures:

Date signed:

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Robert L. Gorman, Esq.  
Presiding Chairperson  
Public Arbitrator

  
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Paul F. Faberman  
Public Arbitrator

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11/13/97  
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Paul A. D. Davis  
Securities Industry Arbitrator

Date served: 11/18/1997