

AWARD

NASD REGULATION, INC.

In the matter of the Arbitration Between

Name of Claimant(s)

Steven O. Thomas

Arbitration
No. 96-05701

Name of Respondent(s)

Landmark International Equities

REPRESENTATION

For Claimant: Steven O. Thomas, Veradale, Washington

For Respondent: William Nunziato, Whitestone, New York

CASE INFORMATION

Statement of Claim filed: December 24, 1996

Amendment to Statement of Claim filed: April 13, 1998

Claimant's Submission Agreement signed: December 20, 1996

Respondent Landmark International Equities did not file a Statement of Answer. However, Landmark International Equities is subject to NASD Regulation, Inc. (NASD) jurisdiction in accordance with Rule 10301 of the NASD Code of Arbitration Procedure. The panel determined that Landmark International Equities received proper service and notice of the hearing in this matter.

HEARING INFORMATION

Pre-Hearing Conference Date(s)/Session(s):
November 13, 1997 (one session)

Hearing Date(s)/Session(s): February 11, 1998 (one session)
April 14, 1998 (one session)
October 14, 1998 (one session)

Hearing Location: Seattle, Washington

CASE SUMMARY

Claimant alleged unfair high pressure tactics and false information from account executives or representatives of Landmark International Equities with respect to his investment in RF Management Corporation stock. Claimant also alleged unfair and incompetent maintenance of his account.

RELIEF REQUESTED

Claimant requested damages in the amount of \$40,000.00.

OTHER ISSUES CONSIDERED AND DECIDED

On or about February 10, 1998, Claimant withdrew his claims against Edward T. McPhee.

On or about April 13, 1998, Claimant withdrew his claims against Marlow Gish.

On or about April 15, 1998, the panel granted Claimant's request to add Eric Jay Aronson as a party in this matter.

Claimant 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, Claimant agreed to receive conformed copies of the Award while the originals remain 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. The panel of arbitrators determined that service and notice were not effectuated with respect to Eric Jay Aronson and dismissed Mr. Aronson without prejudice.

2. Respondent Landmark International Equities is liable for and shall pay to Claimant the sum of \$40,000.00.

The panel recommends that Claimant contact the appropriate NASD Office for public information concerning any disciplinary action by the NASD against the Respondents named in this matter.

3. The parties shall each bear their respective costs including any attorney's fees.

FORUM FEES

Pursuant to Rule 10332(c) of the Code of Arbitration Procedure, the following forum fees are assessed: The NASD shall refund Claimant's hearing session deposit in the amount of \$400.00. Forum fees are assessed against Respondent Landmark International Equities in the amount of \$1,600.00, calculated as follows: One pre-hearing session times \$400.00 plus three hearing sessions times \$400.00.

Fees are payable to NASD Regulation, Inc.

OTHER FEES

Pursuant to Rule 10333 of the Code of Arbitration Procedure, Respondent Landmark International Equities shall pay to the NASD the \$200.00 member surcharge previously invoiced.

ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
Richard E. Keefe, Esq.	Public Arbitrator
Gary C. Huie, Esq.	Public Arbitrator
William E. Graeff	Industry Arbitrator

Concurring Arbitrators' Signatures


Richard E. Keefe, Esq.

Gary C. Huie, Esq.

William E. Graeff

Date of Decision: 10/28/00

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William E. Graeff

Date of Decision: 20 Oct. 98