

N.A.S.D. REGULATION AWARD
NATIONAL ASSOCIATION OF SECURITIES DEALERS REGULATION, INC.

CASE: 97-00038

HealthComm Consulting, Inc., claimant v. Al Botello and Joseph Roberts & Co., respondents.

ATTORNEYS:

For Claimant appeared Wayne A. Mathews - Champaign, IL.

Respondent Al Botello appeared pro-se.

Respondent Joseph Roberts & Co., did not appear.

DATE FILED: 1/3/97.

CASE SUMMARY: Claimant alleged misrepresentation and omission of material facts.

Claim Data

Claim: \$6,803.50
Punitive: \$.00
Atty Fees: \$.00
Filing Fees: \$.00
Other: \$.00

Award Data

Award: \$3,900.00
Punitive: \$.00
Atty Fees: \$.00
Filing Fees: \$150.00
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents are jointly and severally liable and shall pay to the claimant \$3,900.00. 2) All other requests for relief are denied. 3) The \$150.00 filing fee previously deposited by the claimant with the National Association of Securities Dealers Regulation, Inc. shall be retained by NASD Regulation, Inc. Respondents are jointly and severally liable and shall pay claimant \$150.00 as reimbursement for his filing fee.

OTHER ISSUES: Pursuant to the By-Laws of the NASD Regulation, the arbitrator determined that respondent, Joseph Roberts & Co., was served notice of the claim by regular mail and notice of overdue answer was sent via certified mail on 3/26/97 and was returned marked "refused" and overdue notice was sent again via regular mail and Notice of Arbitrator's Identity was served upon respondent by certified mail and was returned again marked "refused" and was again sent via regular mail and respondent Joseph Roberts & Co., is therefore bound by the arbitrator's ruling and determination.

ARBITRATOR'S REPORT: Award is based on request to sell 600 shares at \$6.50 and not executed by the Respondents.

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AFFIRMATION

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

John R. Angermayer
John R. Angermayer

November 7, 1997
Date of award