

**AWARD**

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

In the matter of the Arbitration Between

Name of Claimant

Spelman & Co., Inc.

v.

Arbitration No.  
97-05754

Name of Respondent

Ronald Henry DeJong

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**REPRESENTATION**

For Claimant:

Houston Goddard  
Spelman & Co., Inc.  
San Diego, California

For Respondent:

Ronald Henry DeJong  
In Pro Per  
Encinitas, California

**CASE INFORMATION**

Statement of Claim filed:

December 5, 1997

Claimant's Submission Agreement signed:

December 26, 1997

Statement of Answer filed by  
Respondent Ronald Henry DeJong

None filed

Respondent Ronald Henry DeJong's  
Submission Agreement signed:

None filed

97-5754

### **HEARING INFORMATION**

Pre Hearing Conference Dates / Sessions: July 27, 1998 (One Session)  
Hearing Dates / Sessions: September 11, 1998 (One Session)  
Hearing Location: San Diego, California

### **CASE SUMMARY**

Claimant alleged that Respondent breached terms of a promissory note.

Respondent denied each and every allegation of wrongdoing set forth in the Claimant's Statement of Claim.

### **RELIEF REQUESTED**

Claimant requested \$22,450.42 in compensatory damages in satisfaction of the amount owed.

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

The parties have agreed that the Award in this matter may be executed either in 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 Regulation, Inc., Office of Dispute Resolution.

### **AWARD**

After considering the pleadings, the testimony, and the evidence presented at the hearing, the undersigned Arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

- 1) Claimant was awarded \$22,450.42, plus interest from October 24, 1997, to September 11, 1998 (which includes \$1,634.00 in interest and awarded at the rate of 8% per annum).
- 2) If the award has not been paid in full by November 1, 1998, any unpaid balance shall accrue interest at the rate of 8% per annum.
- 3) Respondent is liable to and shall pay Claimant the sum of \$500.00 in reimbursement of the NASD filing fee.
- 4) Except as noted above, the parties shall each bear their respective costs, including attorney's fees.

### FORUM FEES

Pursuant to Rule 10332(c) of the Code of Arbitration Procedure, the following forum fees are assessed against Respondent Ronald Henry DeJong:

One Pre-Hearing Conference Session @ \$300.00 / Session	= \$300.00
One Hearing Session @ \$300.00 / Session	= \$300.00
<u>Total Fees Assessed Against Respondent Ronald Henry DeJong</u>	<u>= \$600.00</u>

Fees are payable to NASD Regulation, Inc.

### OTHER FEES

Pursuant to Rule 10333 of the Code, Claimant Spelman & Company has paid to NASD Regulation, Inc. the \$200.00 member surcharge previously invoiced.

### ARBITRATORS

<u>Name</u> .....	<u>Public / Industry</u>
Walter W. Klosterman	Industry Arbitrator

Concurring Arbitrator's Signature

  
Walter W. Klosterman

Date of Service: 9/30/96