

AWARD
NASD REGULATION, INC.

In the matter of the Arbitration Between

Name of Claimant

Shawn Araghi

v.

Arbitration No.
98-00300

Name of Respondents

Dakin Securities Corporation, Robert B. Hutchinson,
Samuel D. Skinner, Gregory V. Palmer,
Richard C. Casey and John H. Dakin

REPRESENTATION

For Claimant:

Steven Miller, Esq.
Law Offices of Steven Miller
Encino, California

For Respondent Dakin Securities Corporation
and Samuel D. Skinner:

Anthony M. Englese, Esq.
Law Offices of Anthony M. Englese
San Francisco, California

For Respondent Robert B. Hutchinson:

Robert B. Hutchinson
No Appearance
Sonoma, California

CASE INFORMATION

Statement of Claim filed:

January 15, 1998

Claimant's Submission Agreement signed:

January 15, 1998

Joint Statement of Answer filed by
Respondents Dakin Securities Corporation and
Samuel D. Skinner:

March 5, 1998

Respondent Dakin Securities Corporation's
Submission Agreement signed:

March 4, 1998

Respondent Samuel D. Skinner's Submission
Agreement signed:

March 4, 1998

HEARING INFORMATION

Pre-Hearing Conference Date/Session: June 2, 1998 (1 session)
Hearing Dates/Sessions: November 30, 1998 (2 sessions)
Hearing Location: Los Angeles, California

CASE SUMMARY

Claimant alleged that Respondents engaged in unauthorized trading, breached their fiduciary duty, breached their contract with Claimant, committed fraud, and were negligent. Claimant further alleged that Respondent Dakin Securities Corporation failed to supervise its employees.

Respondents denied each and every allegation of wrongdoing set forth in the Claimant's Statement of Claim. Respondents specifically denied the genuineness of Robert Hutchinson's signature on Exhibit "A" of Claimant's Statement of Claim.

RELIEF REQUESTED

Claimant requested \$34,575.73 in compensatory damages. Claimant further requested interest, costs, attorney's fees, punitive damages and return of commissions paid.

Respondents requested that the Arbitration Panel dismiss the Claimant's claim in its entirety. Respondents further requested costs and attorney's fees.

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 Regulation, Inc., Office of Dispute Resolution.

On March 11, 1998, the Arbitration panel granted Claimant's Amendment to the Statement of Claim that named Gregory V. Palmer, Richard C. Casey and John H. Dakin as Respondents.

On June 17, 1998, Claimant dismissed Respondents Gregory V. Palmer, Richard C. Casey and John H. Dakin.

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. Respondents Dakin Securities Corporation and Robert B. Hutchinson are jointly and severally liable to and shall pay Claimant \$34,575.73 in compensatory damages.
2. Respondents Dakin Securities Corporation and Robert B. Hutchinson are jointly and severally liable to and shall pay Claimant interest at a rate of ten percent per annum, from December 3, 1998, until the award is paid in full.
3. Claimant's claim for punitive damages is denied.
4. Claimant's claim for reimbursement of commissions is denied.
5. Each party shall bear their respective costs, including attorney's fees.
6. All relief not expressly granted is denied.

FORUM FEES

Pursuant to Rule 10332(c) of the Code of Arbitration Procedure, the following forum fees are assessed:

One (1) Pre-Hearing Conference Session @ \$400.00/Session	= \$400.00
<u>Two (2) Hearing Sessions @ \$400.00/Session</u>	<u>= \$800.00</u>
Total Fees Assessed	= \$1,200.00

Claimant's One-Half Share	= \$600.00
<u>Claimant's Credit for Hearing Session Deposit</u>	<u>= (\$400.00)</u>
Claimant's Balance Due	= \$200.00

Respondents Dakin Securities Corporation's and	
<u>Robert B. Hutchinson's, joint and several, One-Half Share</u>	<u>= \$600.00</u>
Respondents', joint and several, Balance Due	= \$600.00

Fees are payable to NASD Regulation, Inc.

OTHER FEES


Pursuant to Rule 10333 of the Code, Respondent Dakin Securities Corporation has paid to NASD Regulation, Inc. the \$ 800.00 member surcharge previously invoiced.

Pursuant to Rule 10333 of the Code, Respondent Dakin Securities Corporation shall pay to NASD Regulation, Inc. the \$1,600.00 past due member process fee(s) previously invoiced.

ARBITRATORS

<u>Name</u>	<u>Arbitrators</u>
Mary L. Williams, Esq.	Public Arbitrator
Blaine Smith	Industry Arbitrator
Cathleen M. Cobb	Public Arbitrator

Concurring Arbitrators' Signatures



Mary L. Williams, Esq.

Blaine Smith

Cathleen M. Cobb

Date of Service: _____


12/23/98

ARBITRATORS

<u>Name</u>	<u>Arbitrators</u>
Mary L. Williams, Esq.	Public Arbitrator
Blaine Smith	Industry Arbitrator
Cathleen M. Cobb	Public Arbitrator

Concurring Arbitrators' Signatures

Mary L. Williams, Esq.



Blaine Smith

Cathleen M. Cobb

Date of Service: 12-23-95

ARBITRATORS

<u>Name</u>	<u>Arbitrators</u>
Mary L. Williams, Esq.	Public Arbitrator
Blaine Smith	Industry Arbitrator
Cathleen M. Cobb	Public Arbitrator

Concurring Arbitrators' Signatures

Mary L. Williams, Esq.

Blaine Smith

Cathleen M. Cobb
Cathleen M Cobb

Date of Service: 12/23/98