

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

CASE: 99-00126

Gary Baker, claimant vs. Howard A. Fields and Morgan Grant Capital Corp., f/k/a Worthington Capital Corp., respondent.

ATTORNEYS:

Claimant Gary Baker ("Claimant"), appeared Pro Se., Syracuse, New York.

Respondent Howard A. Fields ("Fields"), did not respond to the Statement of Claim.

For Respondent Morgan Grant Capital Corp., f/k/a Worthington Capital Corp., ("MGCC"), Vincent M. Lentini, Esq., Garden City, New York.

DATE FILED: 01/12/1999

CASE SUMMARY: Claimant alleged that on September 26, 1997, Respondents failed to execute a market order to sell 7,000 shares of Advantage Life Products.

Claim Data

Claim: \$4,300.00
Filing Fees: \$.00

Award Data

Award: \$4,300.00
Filing Fees: \$62.50

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents MGCC and Fields are jointly and severally liable and shall pay to the Claimant \$4,300.00. 2) The \$125.00 filing fee previously deposited with the National Association of Securities Dealers Regulation, Inc. by the claimant, shall be retained by NASD Regulation, Inc. 3) Respondents MGCC and Fields are jointly and severally liable and shall pay claimant \$62.50 as partial reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent MGCC shall pay to NASD Regulation, Inc. the \$200.00 Member Surcharge previously invoiced.

OTHER ISSUES: Pursuant to the By-Laws of NASD Regulation, the arbitrator determined that respondent Howard A. Fields was served notice of the Statement of Claim, Overdue Notice and Notification of Arbitrator by regular mail, and is therefore bound by the arbitrator's ruling and determination.

The arbitrator granted Respondent GMCC's Motion to file a late Answer.

AFFIRMATION

I, Charles W. Colangelo, do hereby affirm, pursuant to article 7507 of the Civil Practice law and Rules, that I am the individual described herein, and who executed this instrument which is my award.


Charles W. Colangelo

January 24, 2000

Date of Award