

**Stipulated Award**  
**NASD Regulation, Inc.**

---

In the Matter of the Arbitration Between

Name of Claimant

American Express Financial Corporation

vs.

Case No. 99-00364

Name of Respondent

William P. Yurkovac

---

**REPRESENTATION OF PARTIES**

Claimant, American Express Financial Corporation, hereinafter referred to as "Claimant(s)":  
Abraham C. Reich, Esq. and Joshua Horn, Esq., Fox, Rothschild, O'Brien & Frankel, LLP,  
Philadelphia, Pennsylvania

Respondent William P. Yurkovac, hereinafter referred to as "Respondent": Appeared *pro se*

**CASE INFORMATION**

Statement of Claim filed on or about: January 26, 1999

Claimant signed the Uniform Submission Agreement: January 19, 1999

Statement of Answer filed by Respondent on or about: April 7, 1999

Respondent signed the Uniform Submission Agreement: April 5, 1999

**CASE SUMMARY**

Claimant asserted the following causes of action: indemnification for settlement paid to public customer. The allegations relate to the repayment of unauthorized loans from a public customer.

Respondent acknowledged the indebtedness to Claimant and only wished to stated that at no time was deceit or misrepresentation involved in his relationship with the public customer.

**RELIEF REQUESTED**

Claimant requested:

Compensatory Damages	\$241,283.25
Treble Damages	\$482,566.50
Interest	Not specified
Attorneys' Fees	Not specified
Other Costs	Not specified

Respondent requested time to pay the indebtedness.

**AWARD**

After considering the pleadings and the executed Stipulation of the parties (attached hereto as Exhibit A, the Panel decided in full and final resolution of the issues submitted for determination as follows:

1. That pursuant to the Stipulation of the parties, Respondent is liable to and shall pay to Claimant \$241,283.25; and
2. That each party shall bear their own expenses; and
3. That any and all relief, including treble damages, not specifically addressed herein is denied.

**FEES**

Pursuant to the Code, the following fees are assessed:

**Filing Fees**

NASD Regulation, Inc. will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee = \$500.00

**Member Fees**

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the event giving rise to the dispute. In this matter, the member firm is a party.

Member surcharge	= \$2,000.00
Pre-hearing process fee	= \$600.00
Hearing process fee	= \$3,500.00

**Forum Fees and Assessments**

The Panel assesses forum fees for each hearing session conducted. A hearing session is any meeting between the parties and the arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

1 Pre-hearing session with Panel x \$1,000.00		= \$1,000.00
Pre-hearing conference: August 31, 1999	1 session	
Total Forum Fees		= \$1,000.00

The Panel assessed \$500.00 of the forum fees to Claimant.  
The Panel assessed \$500.00 of the forum fees to Respondent.

**Fee Summary**

Claimant be and hereby is solely liable for:

Initial Filing Fee	= \$500.00
Member Fees	= \$6,100.00
Forum Fees	= \$500.00
Total Fees	= \$7,100.00
Less payments	= <u>\$7,054.11</u>
Balance Due NASD Regulation, Inc.	= \$45.89

Respondent be and hereby is solely liable for:

Forum Fee	= \$500.00
Less payments	= \$ -0--
Balance Due NASD Regulation, Inc.	= \$500.00

All balances are due and payable to NASD Regulation, Inc.

Concurring Arbitrators' Signatures

Peter Glasser

Peter Glasser  
Public Arbitrator, Presiding Chair

12/10/99

Date Signed

Howard S. Averbach

Howard S. Averbach, Esq.  
Public Arbitrator

12/13/99

Date Signed

Ronald E. Heakins

Ronald Edward Heakins  
Industry Arbitrator

12-16-99

Date Signed

December 20, 1999

Date of Service (For NASD office use only)

# EXHIBIT A

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC. ARBITRATION

AMERICAN EXPRESS FINANCIAL  
CORPORATION,  
in its own right and as  
assignee of JENNIE F. ADAIR,

Claimant,

v.

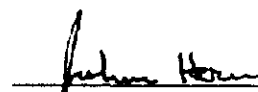
WILLIAM P. YURKOVAC,

Respondent.

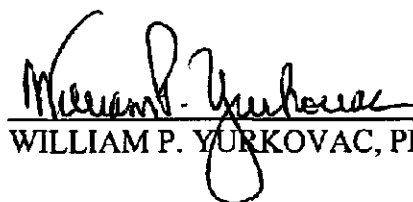
No.: 99-00364

**STIPULATED AWARD**

It is hereby stipulated agreed by and between William P. Yurkovac, pro se, and Joshua Horn, Esquire, counsel for American Express Financial Corporation, in its own right and as assignee of Jennie F. Adair, that an award shall be entered against William P. Yurkovac in these proceedings for \$241,283.25. The National Association of Securities Dealers, Inc. shall retain jurisdiction over this matter until William P. Yurkovac satisfies the Stipulated Award in full.

  
ABRAHAM C. REICH, ESQUIRE  
JOSHUA HORN, ESQUIRE

Attorneys for Claimant  
American Express Financial Corporation,  
in its own right and as assignee of Jennie F. Adair

  
WILLIAM P. YURKOVAC, PRO SE

Date: 11/29/99

Date: 11-18-99