

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between

Name of Claimant

Douglas Kent Winston

Case No. 99-01175

Names of Respondents

A.G. Edwards & Sons, Inc.
Charles "Doc" Long, Jr.
Emile Alexander Bizot, III

REPRESENTATION OF PARTIES

Douglas Kent Winston, hereinafter referred to as "Claimant", appeared pro se.

For A.G. Edwards & Sons, Inc. ("AGE"), Charles "Doc" Long, Jr. ("Long"), and Emile Alexander Bizot, III ("Bizot"), hereinafter collectively referred to as "Respondents": Phyllis Hartrich, Litigation Counsel, A.G. Edwards & Sons, Inc., St. Louis, MO.

CASE INFORMATION

Statement of Claim filed on or about: March 12, 1999.

Claimant signed the Uniform Submission Agreement: March 11, 1999.

Joint Answer of Respondents filed on or about: June 18, 1999.

Respondent Bizot signed the Uniform Submission Agreement: May 17, 1999.

Respondent Long signed the Uniform Submission Agreement: June 14, 1999.

Respondent AGE signed the Uniform Submission Agreement: June 21, 1999.

CASE SUMMARY

Claimant asserted the following causes of action: willful and intentional false statements; unlawful race discrimination in terminating Claimant's employment with Respondent AGE in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000(e) et. seq. and the Civil Rights Act of 1866, 42 U.S.C. Section 1981, et. seq.; and, negligence.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted that Claimant was terminated because of his breach of securities regulations, firm policy, and management directives.

RELIEF REQUESTED

Claimant requested a declaratory judgment that Respondents violated Claimant's civil rights,

reinstatement with back pay and other benefits, compensatory damages of between \$500,000.00 and \$5,000,000.00, punitive damages of between \$500,000.00 and \$5,000,000.00, attorneys' fees, expungement of all references to the grounds for Claimant's termination by Respondent AGE from Claimant's registration records maintained by the NASD Central Registration Depository ("CRD"), costs, and other disbursements.

Respondents requested dismissal of the Statement of Claim, costs, and reasonable attorneys' fees.

OTHER ISSUES CONSIDERED AND DECIDED

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

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

Claimant's Statement of Claim is dismissed in its entirety.

Claimant's request for punitive damages is denied.

Based on the defamatory nature of the information contained in the NASD CRD records of Claimant Douglas Kent Winston, the Panel orders the expungement of all references to the grounds for Douglas Kent Winston's termination by A.G. Edwards & Sons, Inc. from Claimant Douglas Kent Winston's registration records maintained by the CRD.

All other relief requests not specifically addressed herein are denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Initial claim filing fee	= \$ 500.00
	fee waived
	by the Panel

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm(s) that employed the associated person(s) at the time of the event(s) giving rise

to the dispute. In this matter, the member firm, AGE, is a party.

Member surcharge	= \$ 3,000.00
Pre-hearing process fee	= \$ 600.00
Hearing process fee	= \$ 5,000.00

Adjournment Fees

Adjournments requested during these proceedings:

March 7-9, 2000, adjournment by Claimant	= \$ 1,500.00
	fee waived by the Panel

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 arbitrator(s), including a pre-hearing conference with the arbitrator(s), that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with Panel x \$1,500.00	= \$ 1,500.00
Pre-hearing conference: September 30, 1999 1 session	

Two (2) Hearing sessions x \$1,500.00	= \$ <u>3,000.00</u>
Hearing Date: January 10, 2001 2 sessions	

Total Forum Fees	= \$ 4,500.00
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The Panel has assessed the total forum fees of \$4,500.00 to Respondent AGE.

Fee Summary

Respondent AGE be and hereby is solely liable for:

Member Fees	= \$ 8,600.00
Forum Fees	= \$ 4,500.00
Total Fees	= \$13,100.00
<u>Less payments</u>	<u>= \$ 8,600.00</u>
Balance Due NASD Dispute Resolution, Inc.	= \$ 4,500.00

All balances are payable to NASD Dispute Resolution, Inc. and are due immediately upon receipt of the Award by the parties.

Concurring Arbitrators' Signatures

/s/

Robert J. Warner, Jr., LLB
Public Arbitrator, Presiding Chair

Signature Date

/s/

Linda Cox Allen
Public Arbitrator

Signature Date

/s/

Eugene R. Katz
Industry Arbitrator

Signature Date

February 20, 2001

Date of Service (For NASD-DR office use only)

Concurring Arbitrators' Signatures


Robert J. Warner, Jr., LLB

Public Arbitrator, Presiding Chair

2/14/01
Signature Date

Linda Cox Allen
Public Arbitrator

Signature Date

Eugene R. Katz
Industry Arbitrator

Signature Date

Date of Service (For NASD-DR office use only)

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FL ARBITRATION

Concurring Arbitrators' Signatures

Robert J. Warner, Jr., LLB
Public Arbitrator, Presiding Chair

Signature Date

Linda Cox Allen
Linda Cox Allen
Public Arbitrator

2-16-01
Signature Date

Eugene R. Katz
Industry Arbitrator

Signature Date

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Signature Date


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Industry Arbitrator

2/16/01
Signature Date

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