

AWARD
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between:

Gary & Sandra R. Thompson, (Claimants) vs. Edward D. Jones & Co. and
Willie Joe Howard, (Respondents).

Case Number: **99-04921**

Hearing Site: Houston, TX

REPRESENTATION OF PARTIES

Claimants Gary & Sandra R. Thompson hereinafter collectively referred to as
"Claimants": Represented Themselves.

Respondent, Edward D. Jones & Co. and Willie Joe Howard, hereinafter
collectively referred to as "Respondents": were represented by **Scott J. Golde,**
Esq., of Greensfelder, Hemker & Gale, P.C., St. Louis, MO.

CASE INFORMATION

Statement of Claim filed on or about: **March 10, 1999.**

Claimants signed the Uniform Submission Agreement on: **March 30, 1999.**

Statement of Answer filed by Respondents, on or about: **January 12, 2000.**

Respondent, Edward D. Jones, signed the Uniform Submission Agreement:
January 12, 2000.

Respondent, Willie Joe Howard, signed the Uniform Submission Agreement
on **January 12, 2000.**

CASE SUMMARY

Claimants asserted the following causes of action:

1. Respondents failed to follow instructions in connection with the purchase of
Tel-Com wireless Cable TV Corp. Stock;
2. Specifically, Claimants allege that their order was for \$1,000 of stock
and respondent instead purchased 1,000 shares on claimants behalf.
3. As a result of the alleged error, Claimant suffered monetary damages.

Unless specifically admitted in its Answer, Respondent denied all claims:

1. Claimants **authorized** and instructed **Mr. Howard** to enter the transaction at issue
and therefore, claims based upon the truncation should be dismissed.
2. Claimants failed to mitigate their alleged damages.
3. Claimants' damages, if any, were caused by their own negligence.
4. Claimants **ratified** all transactions that took place in their account and therefore,
are barred from recovering alleged losses.

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RELIEF REQUESTED

Claimants requested:

Compensatory Damages
costs\$14,000
Unspecified

Respondents requested:

costs

\$Unspecified

AWARD

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

1. The Statement of Claim is **DENIED** in its entirety
2. The parties shall bear their own costs except for those enumerated herein.
3. Any and all relief not specifically mentioned herein is denied by the Arbitrator.
4. The Panel recommends the expungement of all reference to the above captioned arbitration from Respondent, Willie Joe Howard's registration records maintained by the NASD central Registration Depository ("CRD") with the understanding that pursuant to NASD Notice to Members 99-09, Respondent Willie Joe Howard must obtain confirmation from a court of competent jurisdiction before the CDR will execute the expungement directive.

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

= \$125.00

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 is Edward D Jones.

Member surcharge

= \$400

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Adjournment Fees

Adjournments requested during these proceedings:

August 30 & 31, 2000 adjourned to December 6 & 7, 2000

The adjournment was requested by Willie Joe Howard = \$ 450.00

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

Two (2) Pre-hearing session(s) with a single arbitrator x \$450 = \$900

Pre-hearing conference: May 17, 2000

Pre-hearing conference: August 28, 2000

Four (4) Hearing sessions x \$450 = \$1800

December 6, 2000 2 sessions

December 7, 2000 2 sessions

Total Forum Fees = \$2700

I. The Panel has assessed \$2700 of the forum fees to Respondents Joint and severally.

Fee Summary

1. Claimants be and hereby are solely liable for:

Initial Filing Fee = \$ 125

Forum Fees = \$ 0

Total Fees = \$ 125

Less payments = \$ 525

Balance refunded by NASD Due NASD Dispute Resolution, Inc. = \$ 450

2. Respondent Willie Joe Howard be and hereby is solely liable for:

Adjournment Fees = \$ 450

Less payments = 0

Balance Due NASD Dispute Resolution, Inc. = \$ 450

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3. Respondent Edward D. Jones & Co. be and hereby is solely liable for:

Member Fees	= \$ 400
Less Payments	= \$ 400
Balance Due NASD Dispute Resolution, Inc.	= \$ 0

4. Respondents be and hereby are jointly and severally liable for:

Forum Fees	= \$2700
Balance Due NASD Dispute Resolution, Inc.	= \$2700

All balances are due to NASD Dispute Resolution, Inc.

Arbitrators' SignatureW. Jerry Hoover, Esq.
Public Arbitrator

Signature Date

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