

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between:

Max R. Stover, Claimant v. Workman Securities Corporation, Respondent.

Case Number: 00-04085.

Hearing Site: Cincinnati, Ohio.

REPRESENTATION OF PARTIES

David S. Mann, Esquire, Cincinnati, Ohio, represented Claimant Max R. Stover ("Stover").

Adam P. Hall, Esquire, of Frost Brown Todd LLC, Cincinnati, Ohio, represented Respondent Workman Securities Corporation, ("Workman").

CASE INFORMATION

The Statement of Claim was filed on or about October 3, 2000.
Claimant signed the Uniform Submission Agreement on September 15, 2000.

Respondent filed its Statement of Answer on or about November 21, 2000.
Klaus H. Siepmann signed the Uniform Submission Agreement on October 6, 2000, on behalf of Respondent.

CASE SUMMARY

Claimant asserted the following causes of action: negligence, failure to supervise, breach of fiduciary duty, misrepresentation and omission of facts. The allegations involved transactions in First Lenders Indemnity Corporation (FLIC) IRA rollover funds.

Unless specifically admitted in its Statement of Answer, Respondent denied the allegations set forth in the Statement of Claim and asserted the following defenses: lack of subject matter jurisdiction, waiver, estoppel, laches, comparative negligence, violation of the applicable statute(s) of limitation, set-off, payment and/or settlement.

RELIEF REQUESTED

Claimant requested:

Compensatory Damages	\$192,000.00
Punitive Damages	\$ 50,000.00
Interest	unspecified
Attorneys' Fees	unspecified
Other Costs	unspecified

Respondent requested that all claims against it be dismissed in their entirety, and that it be awarded attorney's fees and costs.

OTHER ISSUES CONSIDERED AND DECIDED

Respondent filed a Motion for Summary Judgment on or about April 5, 2001. Claimant Stover filed a Memorandum in Opposition to Respondent's Motion for Summary Judgment on or about May 4, 2001. On May 18, 2001, the undersigned Panel denied Respondent's Motion for Summary Judgment.

AWARD

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

1. Respondent Workman Securities Corporation is liable for and shall pay to Claimant Max R. Stover the sum of \$50,000.00 (Fifty Thousand Dollars and No Cents) in Compensatory Damages.
2. Except as otherwise specified herein, each party shall bear its own costs.
3. Any and all relief not specifically addressed herein, including punitive (treble) damages and interest, is 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 = \$ 300.00

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 a party, the Respondent Workman Securities Corporation:

Member surcharge	= \$1,500.00
Pre-hearing process fee	= \$ 600.00
Hearing process fee	= \$2,500.00

Forum Fees and Assessments

The panel has the authority to assess 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:

Two (2) Pre-hearing sessions with Panel x \$1,125	= \$2,250.00
Pre-hearing conferences: March 6, 2001	1 session
May 18, 2001	1 session
Five (5) Hearing sessions x \$1,125.00	= \$5,625.00
Hearing Date: June 26, 2001	2 sessions
June 27, 2001	3 sessions
Total Forum Fees	= \$7,875.00

The Panel has assessed the forum fees as follows:

1. Claimant Max R. Stover is liable for \$3,937.50 of the forum fees incurred in this arbitration.
2. Respondent Workman Securities Corporation is liable for \$3,937.50 of the forum fees incurred in this arbitration.

Fee Summary

1. Claimant Max R. Stover is solely liable for:	
Forum Fees	= \$3,937.50
Initial Filing Fee	= \$ 300.00
Total Fees	= \$4,237.50
Less payments	= \$1,425.00
Balance Due NASD Dispute Resolution, Inc.	= \$2,812.50

NASD Dispute Resolution, Inc.
Arbitration Case #: 00-04085
Page 4 of 4

2. Respondent Workman Securities Corporation be and hereby is solely liable for:

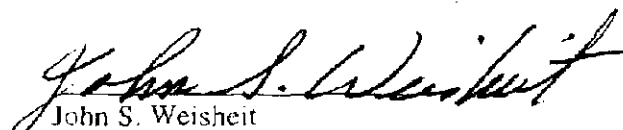
Member Fees	= \$ 4,600.00
Forum Fees	= \$ 3,937.50
Total Fees	= \$ 8,537.50
Less payments	= \$ 4,600.00
Balance Due NASD Dispute Resolution, Inc.	= \$ 3,937.50

All balances are due to NASD Dispute Resolution, Inc.

ARBITRATION PANEL

John S. Weisheit
Robert P. Fogarty
William W. Oliver

- Public Arbitrator, Presiding Chair
- Non-Public Arbitrator, Panelist
- Public Arbitrator, Panelist


John S. Weisheit
Public Arbitrator, Presiding Chair

8-17-01
Signature Date

Robert P. Fogarty
Non-Public Arbitrator, Panelist

Signature Date

William W. Oliver
Public Arbitrator, Panelist

Signature Date

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

2. Respondent Workman Securities Corporation be and hereby is solely liable for:

Member Fees	= \$ 4,600.00
Forum Fees	= \$ 3,937.50
Total Fees	= \$ 8,537.50
Less payments	= \$ 4,600.00
Balance Due NASD Dispute Resolution, Inc.	= \$ 3,937.50

All balances are due to NASD Dispute Resolution, Inc.

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Robert P. Fogarty	-	Non-Public Arbitrator, Panelist
William W. Oliver	-	Public Arbitrator, Panelist

John S. Weisheit
Public Arbitrator, Presiding Chair

Signature Date

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Non-Public Arbitrator, Panelist

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Signature Date

William W. Oliver
Public Arbitrator, Panelist

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2. Respondent Workman Securities Corporation be and hereby is solely liable for:

Member Fees	= \$ 4,600.00
<u>Forum Fees</u>	<u>= \$ 3,937.50</u>
Total Fees	= \$ 8,537.50
<u>Less payments</u>	<u>= \$ 4,600.00</u>
Balance Due NASD Dispute Resolution, Inc.	= \$ 3,937.50

All balances are due to NASD Dispute Resolution, Inc.

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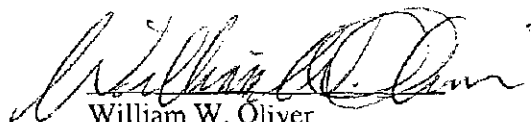
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