

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Jon A. Travers, (Claimant) vs. SG Cowen Securities Corporation, (Respondent)

Case Number: 01-00855

Hearing Site: Buffalo, New York

REPRESENTATION OF PARTIES

Claimant, Jon A. Travers, hereinafter referred to as "Claimant": Kimberly Zimmer, Esq. and Paul M. Predmore, Esq., Green & Seifter, PLLC, Syracuse, NY.

Respondent, SG Cowen Securities Corporation, hereinafter referred to as "Respondent": Andrew W. Sidman, Esq., Butler, Fitzgerald & Potter, New York, NY.

CASE INFORMATION

Statement of Claim filed on or about: February 14, 2001.

Claimant signed the Uniform Submission Agreement: February 13, 2001.

Statement of Answer filed by Respondent on or about: May 24, 2001.

Respondent signed the Uniform Submission Agreement: May 9, 2001.

CASE SUMMARY

Claimant asserted the following causes of action: unauthorized trades and improper margin calls. Claimant's claims involved the stocks of Digene and Diagnostic Health Care.

Unless specifically admitted in its Answer, Respondent denied the allegations made in the Statement of Claim and asserted the following defenses: Claimant has failed to state a cause of action; Claimant's claims are barred by the doctrines of waiver, estoppel, and ratification; Claimant's claims are barred by his own contributory negligence and assumption of risk; Claimant has failed to mitigate his alleged damages; and Claimant's claims are barred by the terms of the written agreements between Claimant and Respondent.

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$250,000.00, plus interest thereon, the costs and expenses incurred in this proceeding, and attorneys' fees.

Respondent requested that the Statement of Claim be dismissed with prejudice, and that Respondent be awarded all of the costs, including attorneys' fees, incurred in defending against this action.

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:

1. Respondent be and hereby is liable for and shall pay to Claimant the sum of \$23,793.00 as compensatory damages, plus interest at the rate of 9% accruing from October 9, 1998 until date of payment.
2. Respondent be and hereby is liable for and shall pay to Claimant the sum of \$300.00, to reimburse Claimant for the filing fee previously paid to NASD Dispute Resolution.
3. All other requests for relief are hereby denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution 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 that employed the associated person at the time of the events giving rise to the dispute. In this matter, SG Cowen Securities Corporation is a party.

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

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:

One (1) Pre-hearing session with Panel x \$1,125.00	= \$1,125.00
Pre-hearing conference: February 7, 2002	1 session
Four (4) Hearing sessions x \$1,125.00	= \$4,500.00
Hearing Dates: July 10, 2002	2 sessions
July 11, 2002	2 sessions
Total Forum Fees	= \$5,625.00

The Panel has assessed all of the forum fees against Respondent.

Fee Summary

1. Claimant be and hereby is solely liable for:

Initial Filing Fee	= \$ 300.00
Total Fees	= \$ 300.00
Less payments	= \$ 1,425.00
Refund Due Claimant	= \$ 1,125.00

As stated in the "Award" section above, Respondent is liable and shall reimburse Claimant for the \$300.00 filing fee.

2. Respondent be and hereby is solely liable for:

Member Fees	= \$ 4,600.00
Forum Fees	= \$ 5,625.00
<u>Total Fees</u>	<u>= \$10,225.00</u>
<u>Less payments</u>	<u>= \$ 4,600.00</u>
Balance Due NASD Dispute Resolution	= \$ 5,625.00

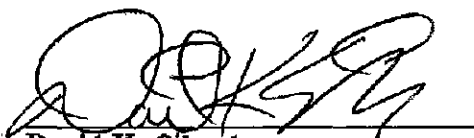
All balances are payable to NASD Dispute Resolution, and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

David K. Silverberg	-	Public Arbitrator, Presiding Chair
Murray S. Marsh	-	Public Arbitrator
Michael P. Hennigan	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

I, the undersigned arbitrator, 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.



David K. Silverberg
Public Arbitrator, Presiding Chair

Signature Date

Murray S. Marsh
Public Arbitrator

Signature Date

Michael P. Hennigan
Non-Public Arbitrator

Signature Date

August 7, 2002

Date of Service (For NASD Dispute Resolution use only)

ARBITRATION PANEL


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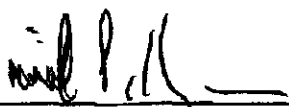
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David K. Silverberg
Public Arbitrator, Presiding Chair

Signature Date

Murray S. Marsh
Public Arbitrator

Signature Date



Michael P. Hennigan
Non-Public Arbitrator

7/24/02

Signature Date

August 7, 2002

Date of Service (For NASD Dispute Resolution use only)