

Stipulated Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between

Kenneth M. Coppins and Darlene A. Coppins, JTWRS, Kenneth M. Coppins and Darlene A. Coppins, JTWROS, and Kenneth M. Coppins (Claimants)

v.

Donaldson, Lufkin & Jenrette Securities Corporation, Robert Guerin, and Albert Markman Peters (Respondents)

Case No. 01-01791

Hearing Site: Boston, Massachusetts

REPRESENTATION OF PARTIES

Kenneth M. Coppins and Darlene A. Coppins, JTWRS, Kenneth M. Coppins and Darlene A. Coppins, JTWROS, and Kenneth M. Coppins ("Claimants") were represented by Jeffrey B. Kaplan, Esq. of the law firm of Hanzman & Criden, P.A., Coral Gables, FL.

Respondents Donaldson, Lufkin & Jenrette Securities Corporation, Robert Guerin and Albert Markman Peters hereinafter collectively referred to as "Respondents" were represented by David J. Campbell, Esq. of the law firm Bressler, Amery & Ross, P.C., New York, NY.

CASE INFORMATION

Statement of Claim filed in April 2001.

Claimants signed the Uniform Submission Agreement in April 2001.

Statement of Answer filed by Respondents on June 18, 2001.

Respondent DLJ signed its Uniform Submission Agreement on March, 4, 2002.

Respondent Albert Markman Peters signed his Uniform Submission Agreement on March 7, 2002.

CASE SUMMARY

Claimants asserted the following causes of action: (i) breach of fiduciary duty; (ii) negligence; (iii) fraud; and (iv) failure to follow instructions.

Respondents denied the claims in the Statement of Claim.

RELIEF REQUESTED

Claimants requested compensatory damages in the amount of \$3,000,000.00 as well as attorney's fees and forum fees.

Respondents requested that the Claim be dismissed with prejudice and Respondent Donaldson, Lufkin & Jenrette filed a counterclaim requesting damages in the amount of \$175,833.48.

OTHER ISSUES CONSIDERED AND DECIDED

On August 2, 2002 Claimants voluntarily dismissed A. Markman Peters and Robert Guerin with prejudice.

Prior to the hearing, Claimants and Respondent agreed to enter a Stipulation of Award which they executed on the date set forth below. This Stipulation of Award is being submitted to the Panel for its consideration and execution. The parties have agreed that the Stipulated Award in this matter may be executed in counterpart copies.

On September 24, 2002, Claimants and Respondent Donaldson, Lufkin & Jenrette then settled this matter.

AWARD

On the date set forth below, the parties entered into an agreement to present to the Panel a Stipulated Award. Now, in lieu of a hearing and upon motion of both parties for entry of an award, the written stipulation thereto, the Panel hereby grants the motion and enters this award granting the following relief:

- 1) Each party shall bear its own costs and expenses, with the exception of NASD fees which are addressed below.
- 2) The Panel recommends the expungement of all reference to the above captioned arbitration from Respondent Robert Guerin's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notice to Members 99-09, Respondent Robert Guerin must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.
- 3) The Panel recommends the expungement of all reference to the above captioned arbitration from Respondent Mark Peters' registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notice to Members 99-09, Respondent Mark Peters' must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.
- 4) Any and all relief not specifically addressed herein 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	= \$ 500.00
Counterclaim filing fee	= \$ 1000.00

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(s) at the time of the events giving rise to the dispute. In this matter, the member firm Donaldson, Lufkin & Jenrette Securities Corporation is a party.

Member Surcharge	= \$ 2,500.00
Pre-Hearing Process Fee	= \$ 600.00
<u>Hearing Process Fee</u>	= \$ 4,500.00
Total Member Fees	= \$ 7,600.00

Forum Fees and Assessments

The Arbitrator/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. Forum fees associated with these proceedings are:

Initial Pre-Hearing Conference	January 1, 2002	= \$ 1200.00
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1. The Panel(Arbitrator) has assessed \$ 600.00 of the forum fees (jointly and severally) against Claimants.
2. The Panel(Arbitrator) has assessed \$ 600.00 of the forum fees jointly and severally against Respondents.

Fee Summary

1. Claimants (Coppins) be and hereby is solely liable for:

Initial Filing Fee	= \$ 500.00
Forum Fees	= \$ 600.00
<u>Administrative Costs</u>	= \$.00
Total Fees	= \$ 1100.00
<u>Less payments</u>	= \$ 1700.00

Refund due to Claimants = \$ 600.00

2. Respondent (DLJ) be and hereby is solely liable for:

Counterclaim Filing Fee = \$ 1000.00

Member Fees = \$ 7600.00

Adjournment Fee = \$.00

Forum Fees = \$ 600.00

Administrative Costs = \$.00

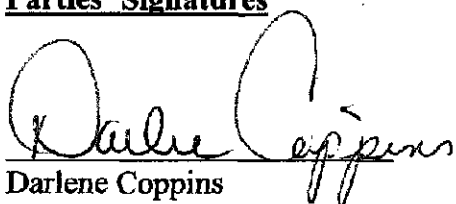
Total Fees = \$ 9200.00

Less payments = \$ 9200.00

Balance Due NASD Dispute Resolution, Inc. = \$.00

All balances are due and payable to NASD Dispute Resolution, Inc

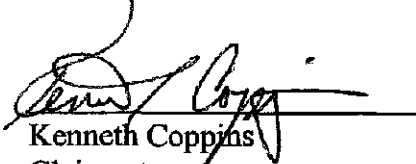
Parties' Signatures



Darlene Coppins
Claimant

11-3-2002

Signature Date



Kenneth Coppins
Claimant

11-3-2002

Signature Date

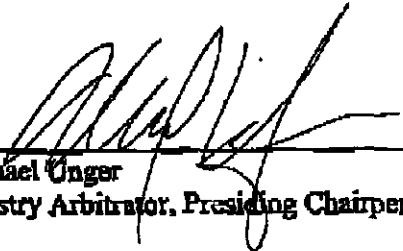


Donaldson, Lufkin & Jenrette Securities Corp.
Respondent
By: Andrew Weinberg

11-18-02

Signature Date

Concurring Arbitrators' Signatures



Michael Unger
Industry Arbitrator, Presiding Chairperson

12/6/02

Signature Date

Arthur Giacomarra
Public Arbitrator, Panelist

Signature Date

Marilyn H. Zuckerman
Public Arbitrator, Panelist

Signature Date


February 10, 2003

Date Stipulated Award Served by NASD-DR

Concurring Arbitrators' Signatures

Michael Unger
Industry Arbitrator, Presiding Chairperson

Signature Date



Arthur J. Giacomarra
Public Arbitrator, Panelist

12-10-02

Signature Date

Marilyn H. Zuckerman
Public Arbitrator, Panelist

Signature Date

February 10, 2003

Date Stipulated Award Served by NASD-DR

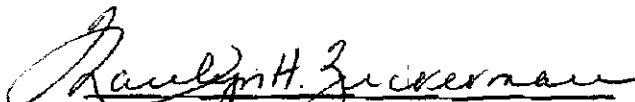
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Industry Arbitrator, Presiding Chairperson

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Arthur Giacomarra
Public Arbitrator, Panelist

Signature Date



Marilyn H. Zuckerman
Public Arbitrator, Panelist

12/10/02

Signature Date

February 10, 2003

Date Stipulated Award Served by NASD-DR