

## Award NASD Dispute Resolution

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In the Matter of the Arbitration Between:

Name of the Claimant

Edward B. Bellman, IRA

Case Number: 01-02841

Name of the Respondents

Parker/Hunter, Inc.

Leo T. Krantz

Hearing Site: Pittsburgh, PA

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### REPRESENTATION OF PARTIES

Claimant, Edward B. Bellman, IRA ("Bellman"), hereinafter referred to as "Claimant": Darren C. Blum, Esq., Law Offices of Darren C. Blum, P.A., Plantation, FL.

Respondents, Parker/Hunter, Inc. ("Parker") and Leo T. Krantz ("Krantz"), hereinafter collectively referred to as "Respondents": Stanley Yorsz, Esq., Buchanan Ingersoll, Pittsburgh, PA.

### CASE INFORMATION

Statement of Claim filed on: May 23, 2001

Claimant, Bellman, signed the Uniform Submission Agreement: May 7, 2001

Amended Statement of Claim filed on: June 22, 2001

Statement of Answer to Amended Statement of Claim filed by Respondents on: August 7, 2001

A representative of Respondent, Parker, signed the Uniform Submission Agreement: June 11, 2001

Respondent, Krantz, signed the Uniform Submission Agreement: June 11, 2001

### CASE SUMMARY

Claimant asserted the following causes of action in his Statement of Claim: violation of industry rules; violation of Pennsylvania statutes; breach of contract; breach of fiduciary duty; fraud; negligence; and failure to supervise.

Claimant re-asserted the same causes of action in his Amended Statement of Claim. The causes of action in the Amended Statement of Claim relate to the purchase and sale of shares of Triquint Semiconductor.

Unless specifically admitted in its Answer, Respondents denied the allegations made in the Statement of Claim.

**RELIEF REQUESTED**

Claimant requested:

Compensatory Damages	\$ 500,000.00
Punitive Damages	unspecified
Interest	unspecified
Attorneys' Fees	unspecified
Costs	unspecified

Respondents requested that the claims be dismissed.

**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, Parker, is liable to Claimant, and shall pay him compensatory damages in the amount of \$ 15,000.00. No interest on this amount has been awarded;
2. Claimant's claims against Respondent, Krantz, are denied in their entirety;
3. Respondent, Parker, is liable to Claimant, and shall pay him the amount of \$ 300.00 reimbursement for filing fees paid in this matter;
4. The parties shall bear their respective costs, except as to Fees specifically addressed below; and
5. Any and all relief not specifically addressed herein, including punitive damages, is 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(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. Accordingly, Parker/Hunter, Inc. 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 has assessed forum fees for each session conducted. A 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 @ \$ 1,125.00 = \$ 1,125.00

Pre-hearing conference: March 7, 2002 1 session

Four (4) Hearing sessions @ \$ 1,125.00 = \$ 4,500.00

Hearing Dates: June 18, 2002 2 sessions  
June 19, 2002 2 sessions

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Total Forum Fees = \$ 5,625.00

The Panel has assessed \$ 5,625.00 of the forum fees to Respondent, Parker.

Fee Summary

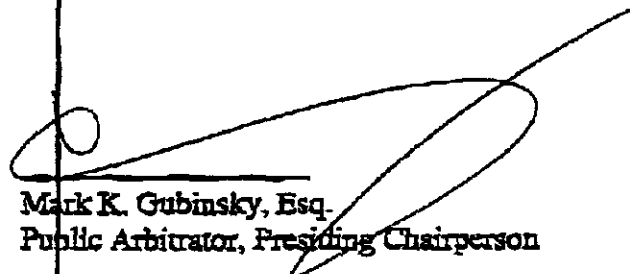
1. Claimant is solely liable for:	
Initial Filing Fee	= \$ 300.00
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Total Fees	= \$ 300.00
Less payments	= \$ 1,425.00
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Refund Due Claimant	= \$ 1,125.00
2. Respondent, Parker, is solely liable for:	
Member Fees	= \$ 4,600.00
Forum Fees	= \$ 5,625.00
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Total Fees	= \$ 10,225.00
Less payments	= \$ 4,600.00
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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

Mark K. Gubinsky, Esq.	-	Public Arbitrator, Presiding Chairperson
Merwyn R. Markel	-	Public Arbitrator, Panelist
Gary R. Miles	-	Non-Public Arbitrator, Panelist

Concurring Arbitrators' Signatures

  
\_\_\_\_\_  
Mark K. Gubinsky, Esq.  
Public Arbitrator, Presiding Chairperson

7-30-02  
Signature Date

\_\_\_\_\_  
Gary R. Miles  
Non-Public Arbitrator, Panelist

\_\_\_\_\_  
Signature Date

Dissenting Arbitrator's Signature

\_\_\_\_\_  
Merwyn R. Markel  
Public Arbitrator, Panelist

\_\_\_\_\_  
Signature Date

07/31/2002

Date of Service (For NASD Dispute Resolution office use only)

Concurring Arbitrators' Signatures

\_\_\_\_\_  
Mark K. Gubinsky, Esq.  
Public Arbitrator, Presiding Chairperson

\_\_\_\_\_  
Signature Date

G. R. Miles  
Gary R. Miles  
Non-Public Arbitrator, Panelist

7-31-02  
Signature Date

Dissenting Arbitrator's Signature

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Merwyn R. Markel  
Public Arbitrator, Panelist

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Public Arbitrator, Presiding Chairperson

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Gary R. Miles  
Non-Public Arbitrator, Panelist

\_\_\_\_\_  
Signature Date

Dissenting Arbitrator's Signature

I respectfully dissent from this award because I believe  
the Claimant should have been awarded more money.

Merwyn R. Markel  
Merwyn R. Markel  
Public Arbitrator, Panelist

7/30/02  
Signature Date

07/31/2002  
Date of Service (For NASD Dispute Resolution office use only)