

Stipulated Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between:

Name of Claimant

Edward H. Hoglund

Case No. 01-02896

Names of Respondents

Charles Schwab & Co., Inc. and Janusz Lempicki

REPRESENTATION OF PARTIES

For Claimant Edward H. Hoglund, hereinafter referred to as "Claimant": Russell C. Silvergate, Esq., Dickenson Murphy Rex and Sloan, 980 North Federal Highway, Suite 410, Boca Raton, Florida 33432.

For Respondents Charles Schwab & Co., Inc. and Janusz Lempicki, hereinafter collectively referred to as "Respondents": Sean B. Meehan, Esq., Charles Schwab & Co., Inc., 101 Montgomery Street, San Francisco, California 94104.

CASE INFORMATION

Statement of Claim filed on or about: May 30, 2001.

Claimant signed the Uniform Submission Agreement: May 19, 2001.

Respondent Charles Schwab & Co., Inc.'s Statement of Answer and Motion to Dismiss

Respondent Janusz Lempicki filed on or about: August 3, 2001.

Respondent Charles Schwab & Co., Inc. signed the Uniform Submission Agreement: August 3, 2001.

Respondent Janusz Lempicki signed the Uniform Submission Agreement: August 19, 2001.

Claimant's Response to Janusz Lempicki's Motion to Dismiss filed on or about: August 20, 2001.

CASE SUMMARY

Claimant asserted the following causes of action: violation of the Florida Securities Investors Protection Act; breach of fiduciary duty; negligent failure to supervise; and negligence. The causes of action relate to Claimant's request to transfer shares of Legend Holdings into American Depository Receipt shares.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the

Statement of Claim and asserted various defenses. Further, Respondent Janusz Lempicki asserted a motion to dismiss on the basis that an employee cannot be held individually liable if the individual employee acted solely as an agent of the corporation and acted only within the scope of his/her employment.

RELIEF REQUESTED

Claimant requested compensatory damages of \$90,000.00, plus interest, costs, expenses and disbursements, including expert witness fees, and other relief that would be just and proper in this matter.

Respondents requested judgment dismissing Claimant's claims, along with all costs associated with the defense of this matter. In addition, the motion to dismiss filed by Respondent Janusz Lempicki contained a request for expungement of this matter from his Form U-4.

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.

On or about March 18, 2002, Claimant informed NASD Dispute Resolution, Inc. that the case had settled.

AWARD

After considering the pleadings and the Stipulated Award and Order of Expungement, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

Claimant Edward H. Hoglund and Respondent Charles Schwab & Co., Inc. have reached a confidential settlement. Respondent Janusz Lempicki is not a party to this settlement agreement.

Claimant dismissed, with prejudice, all claims asserted against Respondent Janusz Lempicki.

The Panel recommends the expungement of all references to the above-captioned arbitration from Respondent Janusz Lempicki's registration records maintained by the NASD Central Registration Depository (the "CRD"), with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, Respondent Janusz Lempicki must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.

The parties shall bear their respective costs, including attorney's fees.

Any and all requests for relief not specifically addressed herein are denied.

FEES

Pursuant to the NASD Code of Arbitration Procedure (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	= \$225.00
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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 event giving rise to the dispute. In this matter, the member firm is a party.

Member surcharge	= \$1,000.00
Pre-hearing process fee	= \$600.00
Hearing process fee	= \$1,500.00

Adjournment Fees

There were no adjournments requested during these proceedings.

Forum Fees and Assessments

A hearing session is any meeting between the parties and arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

One Pre-hearing session with the Panel x \$750.00	= \$750.00
Pre-hearing conference: December 13, 2001	1 session

Total Forum Fees	= \$750.00
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Respondent Charles Schwab & Co., Inc. has agreed to pay the total forum fees of \$750.00.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services including, but not limited to, additional copies of arbitrator awards beyond those provided without charge, copies of audio transcripts, retrieval of documents from archives, interpreters and security.

There were no administrative costs incurred during these proceedings.

Fee Summary

Claimant be and hereby is solely liable for:

Initial Filing Fee = \$225.00

Total Fees = \$225.00

Less Payments = \$225.00

Balance Due NASD Dispute Resolution, Inc. = \$0.00

Respondent Charles Schwab & Co. Inc. be and hereby is solely liable for:

Member Fees = \$3,100.00

Forum Fees = \$750.00

Total Fees = \$3,850.00

Less Payments = \$2,500.00

Balance Due NASD Dispute Resolution, Inc. = \$1,350.00

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

ARBITRATION PANEL

Hugh N. Fryer, Esq. - Public Arbitrator, Presiding Chair

Stuart M. Rapee, Esq. - Public Arbitrator

Joseph J. Slotnik - Non-Public Arbitrator

Concurring Arbitrators' Signatures

/S/

Hugh N. Fryer, Esq.
Public Arbitrator, Presiding Chair

Signature Date

/S/

Stuart M. Rapee, Esq.
Public Arbitrator

Signature Date

Award Page 5

Signature Date

May 20, 2002
Date of Service (For NASD Dispute Resolution office use only)

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Hugh N. Fryer, Esq.

-

Public Arbitrator, Presiding Chair

Stuart M. Rapee, Esq.

-

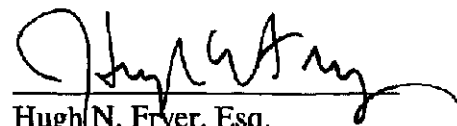
Public Arbitrator

Joseph J. Slotnik

-

Non-Public Arbitrator

Concurring Arbitrators' Signatures



Hugh N. Fryer, Esq.

Public Arbitrator, Presiding Chair

5-13-02
Signature Date

Stuart M. Rapee, Esq.

Public Arbitrator

Signature Date

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Stuart M. Rapee, Esq.	-	Public Arbitrator
Joseph J. Slotnik	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

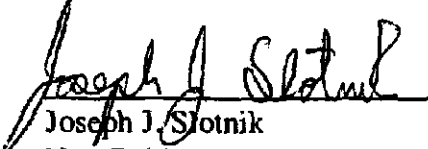
Hugh N. Fryer, Esq.
Public Arbitrator, Presiding Chair


Stuart M. Rapee, Esq.
Public Arbitrator

Signature Date

10 May '02
Signature Date

NASD Dispute Resolution, Inc.
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Joseph J. Slotnik
Non-Public Arbitrator

5/8/00
Signature Date

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