

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Lydia McConnell (Claimant) v. Prudential Securities, Inc. n/k/a Prudential Equity Group, Inc. and Richard Siderowf (Respondents)

Case Number: 03-01048

Hearing Site: New York, New York

Nature of the Dispute: Customer vs. Member and Associated Person.

REPRESENTATION OF PARTIES

Claimant Lydia McConnell ("McConnell") hereinafter referred to as "Claimant": Juris V. Zauls, Esq., Grayson & Associates, P.C., Greenwich, CT.

Respondents Prudential Securities, Inc. n/k/a Prudential Equity Group, Inc. ("Prudential") and Richard Siderowf ("R. Siderowf") hereinafter collectively referred to as "Respondents": David W. Schmidt, Esq., Lubiner & Schmidt, Cranford, NJ. Previously represented by: Patricia A. Fitzpatrick, Esq., Prudential Securities, Inc., New York, NY.

CASE INFORMATION

Statement of Claim filed on or about: February 10, 2003.

Claimant signed the Uniform Submission Agreement: January 28, 2003.

Joint Statement of Answer filed by Respondents on or about: May 14, 2003.

Prudential signed the Uniform Submission Agreement: May 14, 2003.

R. Siderowf signed the Uniform Submission Agreement: May 14, 2003.

CASE SUMMARY

Claimant asserted the following causes of action: failure to execute and unauthorized trading. Claimant's claim involved shares of CESI, AMT, and IDEV.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$33,000.00, plus interest and attorneys' fees in the amount of \$5,000.00.

Respondents requested that Claimant's claims be denied in their entirety, and that all costs and damages be awarded to the Respondents as the Panel sees fit. Respondent Siderowf requests that this matter be expunged from his record with the NASD's CRD system.

OTHER ISSUES CONSIDERED AND DECIDED

At the close of Claimant's case, Respondents moved to dismiss the claim and the Arbitrator reserved his decision.

AWARD

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

1. Claimant's claims are hereby dismissed, on the law and the facts, in their entirety.
2. Any and all relief not specifically addressed herein is denied.
3. The Arbitrator stated, "In asserting a breach by Mr. Siderowf of his obligations as a broker, the Statement of Claim might be viewed as "defamatory". Therefore, the Arbitrator recommends the expungement of all reference to the above captioned arbitration from Respondent Richard Siderowf's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, Respondent Richard Siderowf must obtain confirmation from a court of competent jurisdiction before CRD will execute the expungement directive.

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	= \$175.00
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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 events giving rise to the dispute. Accordingly, Prudential Securities, Inc. n/k/a Prudential Equity Group, Inc. is a party.

Member surcharge	= \$ 875.00
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Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$1,000.00

Forum Fees and Assessments

The Arbitrator has assessed forum fees for each session conducted. A session is any meeting between the parties and the arbitrator, including a pre-hearing conference with the arbitrator, that lasts four (4) hours or less. Fees associated with these proceedings are:

Three (3) Pre-hearing sessions with the sole arbitrator @ \$450.00 = \$1,350.00

Pre-hearing conferences:	September 22, 2003	1 session
	January 30, 2004	1 session
	February 11, 2004	1 session

Two (2) Hearing sessions with the sole arbitrator @ \$450.00 = \$ 900.00

Hearing Date: March 9, 2004 2 sessions

Total Forum Fees = \$2,250.00

1. The Arbitrator has assessed \$2,250.00 of the forum fees against Claimant.

Fee Summary

1. Claimant is solely liable for:

Initial Filing Fee	= \$ 175.00
Forum Fees	= \$2,250.00
Total Fees	= \$2,425.00
Less payments	= \$ 625.00
Balance Due NASD Dispute Resolution	= \$1,800.00

2. Prudential is solely liable for:

Member Fees	= \$2,625.00
Total Fees	= \$2,625.00
Less payments	= \$2,625.00
Balance Due NASD Dispute Resolution	= \$ 0.00

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

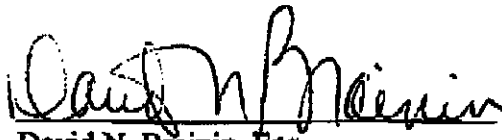
ARBITRATOR

David N. Brainin, Esq.

- Public Arbitrator, Presiding Chair

Arbitrator's Signature

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 N. Brainin, Esq.
Public Arbitrator, Presiding Chair

Signature Date

March 31, 2004

Date of Service (For NASD Dispute Resolution use only)