

Stipulated Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Barbara Baecht, and The Estate of Bradley Baecht (Claimants) v. Linsco Private Ledger Corp.
and Linda Louise Borst (Respondents)

Case Number: 03-05707

Hearing Site: New York, New York

Nature of the Dispute: Customers v. Member and Associated Person

REPRESENTATION OF PARTIES

Claimants Barbara Baecht ("Baecht"), individually and as Executrix of the Estate of Bradley Baecht (the "Estate") hereinafter collectively referred to as "Claimants": David W. Schmidt, Esq., Lubiner & Schmidt, Cranford, NJ.

Respondents Linsco Private Ledger Corp. ("Linsco") and Linda Louise Borst ("Borst") hereinafter collectively referred to as "Respondents": Luigi Spadafora, Esq., Winget, Spadafora & Schwartzberg, LLP, New York, NY.

CASE INFORMATION

Statement of Claim filed on or about: August 1, 2003.

Claimants signed the Uniform Submission Agreement: July 25, 2003.

Statement of Answer filed by Respondents on or about: November 26, 2003.

Respondents signed the Uniform Submission Agreement: July 25, 2003.

CASE SUMMARY

Claimants asserted the following causes of action: misstatements and omissions of material facts; unsuitability; breach of fiduciary duty; failure to supervise; common law fraud; and violations of §20(a) of the Securities Exchange Act of 1934. The causes of action relate to technology stocks, mutual funds, and a variable annuity.

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

RELIEF REQUESTED

Claimants requested compensatory damages in the amount of \$447,000.00; lost income under the "well managed portfolio" theory of recovery; punitive damages in accordance with Rule

10330(e); interest; reasonable attorneys' fees and cost of suit; and any other relief that is just, fair, and equitable.

Respondents requested that the Panel dismiss the Statement of Claim in its entirety; impose the forum fees entirely on the Claimant; award to the Respondents their attorneys' fees and costs; and award to the Respondents an expungement of this matter from their relevant regulatory records.

OTHER ISSUES CONSIDERED AND DECIDED

Prior to the hearing, Claimants settled their claims against Respondents.

The parties agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

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 an entry of an award, the written stipulation thereto, the Panel grants the motion and enters this award granting the following relief:

1. The Panel recommends the expungement of all reference to the above captioned arbitration from Respondent Borst'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 Borst's 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	= \$ 300.00
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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. In this matter, the member firm Linsco Private Ledger Corp. is a party.

Member Surcharge	= \$ 1,700.00
Pre-Hearing Process Fee	= \$ 750.00

<u>Hearing Process Fee</u>	= \$ 2,750.00
<u>Total Member Fees</u>	= \$ 5,200.00

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 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:

One (1) Pre-hearing conference session with a single arbitrator @ \$450.00/session = \$ 450.00
 Pre-hearing conference: September 22, 2004 1 session

One (1) Pre-hearing conference session with the Panel @ \$1,125.00/session = \$ 1,125.00
 Pre-hearing conference: June 28, 2004 1 session

Total Forum Fees = \$ 1,575.00

1. The Panel has assessed \$787.50 of the forum fees jointly and severally against Claimants.
2. The Panel has assessed \$787.50 of the forum fees jointly and severally against Respondents.

Fee Summary

1. Claimants are liable for:

Initial Filing Fee	= \$ 300.00
Forum Fees	= \$ 1,125.00
Total Fees	= \$ 1,425.00
Less payments	= \$ 1,425.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Pursuant to Rule 10332(f) of the Code of Arbitration Procedure, NASD is retaining the total amount of the hearing session deposited by the Claimants because this office was notified by the parties that they settled or withdrew this matter within eight business days of the first scheduled hearing session.

2. Respondent Linsco is solely liable for:

<u>Member Fees</u>	= \$ 5,200.00
Total Fees	= \$ 5,200.00
Less payments	= \$ 5,200.00
Balance Due NASD Dispute Resolution	= \$ 0.00

3. Respondents Linsco and Borst are jointly and severally liable for:

<u>Forum Fees</u>	= \$ 787.50
Total Fees	= \$ 787.50
Less payments	= \$ 0.00

Balance Due NASD Dispute Resolution

= \$ 787.50

All balances are due and payable to NASD Dispute Resolution.

Parties' Signatures

Barbara Baecht
Barbara Baecht
Claimant

10-8-04
Signature Date

Barbara Baecht
The Estate of Bradley Baecht
By Barbara Baecht as
Executrix
Claimant

10-8-04
Signature Date

Linsco Private Ledger Corp.
Respondent

Signature Date

Linda Louise Borst
Respondent

Signature Date

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Barbara Baecht
Claimant

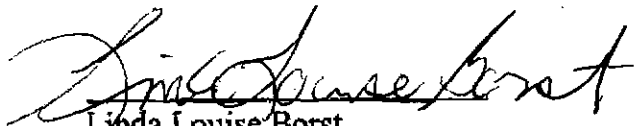
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Claimant

Signature Date

Linsco Private Ledger Corp.
Respondent

Signature Date


Linda Louise Borst
Respondent

10/11/04
Signature Date

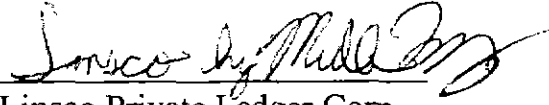
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Signature Date

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Claimant

Signature Date


Linsco Private Ledger Corp.
Respondent

9/30/05
Signature Date

Linda Louise Borst
Respondent

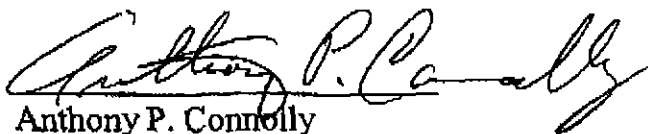
Signature Date

ARBITRATION PANEL

Anthony P. Connolly	-	Public Arbitrator, Presiding Chair
Krishna M. Vempaty, Esq.	-	Public Arbitrator
Farrell C. Glasser, Esq.	-	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.



Anthony P. Connolly
Public Arbitrator, Presiding Chair

11/11/05
Signature Date

Krishna M. Vempaty, Esq.
Public Arbitrator

Signature Date

Farrell C. Glasser, Esq.
Industry Arbitrator

Signature Date

November 14, 2005

Date of Service (For NASD office use only)

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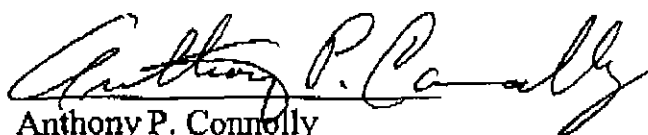
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Signature Date

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Public Arbitrator

11/15/05
Signature Date

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