

AWARD  
NASD DISPUTE RESOLUTION

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In the Matter of the Arbitration Between:

Tommie J. Leslie and Mary E. Leslie, (Claimants) vs. American Fronteer Financial Corporation and Auerbach, Pollak & Richardson, Inc., (Respondents)

Case Number: 04-01582

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SITUS: New Orleans, LA.

NATURE OF DISPUTE: Customer v. Member and Associated Person.

REPRESENTATION OF PARTIES

For Tommie J. Leslie and Mary E. Leslie, hereinafter collectively referred to as "Claimants": D. Bruce Cameron, Esq., The Cameron Law Firm LLC, Slidell, LA.

Respondents American Fronteer Financial Corporation ("American") and Auerbach, Pollak & Richardson, Inc. ("APR"), hereinafter collectively referred to as "Respondents", did not enter an appearance in this matter.

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DATE FILED: March 9, 2004.

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CASE SUMMARY: Claimants alleged: failure to execute; breach of fiduciary duty; churning; manipulations; misrepresentation; omission of facts; suitability; and, unauthorized trading. Claimants' claim involved New Era Networks and Nuveen Nasdaq 100 mutual funds.

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Claim Data		Award Data	
Claim:	\$146,732.00	Award:	\$100,000.00
Punitive:	\$50,000.00	Punitive:	\$0.00
Attorney's Fees:	\$15,000.00	Attorney's Fees:	\$15,000.00
Filing Fees:	\$0.00	Filing Fees:	\$0.00
General Damages:	\$60,000.00	General Damages:	\$0.00
Costs:	\$5,000.00	Costs:	\$5,000.00

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OTHER ISSUES:

Initially, Claimants' claims against Respondents American and APR were arbitrated in NASD Arbitration Case # 02-07219. By letter dated November 6, 2003, Claimants opted to proceed against Respondents American and APR pursuant to Rule 10314(e) of the *NASD Code of Arbitration Procedure* ("Code"). The claims against Respondents were bifurcated from Case # 02-07219 because Respondents failed to file Answers. The arbitrator determined that Respondents American and APR were properly served notice of the Statement of Claim and Notification of the Arbitration by certified mail, and that Respondents American and APR are

required to submit to arbitration pursuant to the Code and are bound by the determination of the Arbitrator on all issues submitted.

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents are jointly and severally liable and shall pay to Claimants \$100,000.00 plus legal interest under the law of Louisiana accruing from the date of the Award until the date of payment of the Award. 2) Respondents are jointly and severally liable and shall pay to Claimants attorneys' fees in the sum of \$15,000.00 plus legal interest under the law of Louisiana accruing from the date of the Award until the date of payment of the Award. 3) All requests for general and punitive damages are denied. 4) Respondents are jointly and severally liable and shall pay to Claimants costs in the sum of \$5,000.00 plus legal interest under the law of Louisiana accruing from the date of the Award until the date of payment of the Award. 5) All other relief requests are denied.

#### ARBITRATION PANEL

Bruce V. Schewe, Esq.

Sole Public Arbitrator

/s/  
Bruce V. Schewe, Esq.

                      
Signature Date

June 22, 2004  
Date of Service (For NASD Dispute Resolution office use only)

required to submit to arbitration pursuant to the Code and are bound by the determination of the Arbitrator on all issues submitted.

**AWARD:** The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents are jointly and severally liable and shall pay to Claimants \$100,000.00 plus legal interest under the law of Louisiana accruing from the date of the Award until the date of payment of the Award. 2) Respondents are jointly and severally liable and shall pay to Claimants attorneys' fees in the sum of \$15,000.00 plus legal interest under the law of Louisiana accruing from the date of the Award until the date of payment of the Award. 3) All requests for general and punitive damages are denied. 4) Respondents are jointly and severally liable and shall pay to Claimants costs in the sum of \$5,000.00 plus legal interest under the law of Louisiana accruing from the date of the Award until the date of payment of the Award. 5) All other relief requests are denied.

**ARBITRATION PANEL**

Bruce V. Schewe, Esq.

Sole Public Arbitrator



Bruce V. Schewe, Esq.



Signature Date