

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Richard F. Meier (Claimant) vs. Alliance Capital Management Holding, LP, Alliance Capital Management Corporation, Alliance Bernstein Investment Research, and Alliance Capital Management, L.P. (Respondents)

Case Number: 04-07633

Hearing Site: Newark, New Jersey

Nature of the Dispute: Associated Person vs. Member and Non-Members.

REPRESENTATION OF PARTIES

Claimant Richard F. Meier hereinafter referred to as "Claimant": Victor Pribanic, Esq., and Sherie Lynn Painter, Esq., Law Offices of Pribanic and Pribanic, White Oak, PA.

Respondents Alliance Capital Management Holding, LP ("Alliance Holding"), Alliance Capital Management Corporation ("Alliance Corporation"), Alliance Bernstein Investment Research ("Alliance Research"), and Alliance Capital Management, L.P. ("Alliance Management") hereinafter collectively referred to as "Respondents": Joseph Baumgarten, Esq., Proskauer Rose LLP, New York, NY.

CASE INFORMATION

Statement of Claim filed on or about: November 2, 2004.

Claimant signed the Uniform Submission Agreement: October 28, 2004.

Joint Statement of Answer filed by Respondents on or about January 19, 2005.

Alliance Holding signed the Uniform Submission Agreement: March 14, 2005.

Alliance Corporation signed the Uniform Submission Agreement: March 14, 2005.

Alliance Research signed the Uniform Submission Agreement: January 19, 2005.

Alliance Management signed the Uniform Submission Agreement: March 14, 2005.

CASE SUMMARY

Claimant asserted the following causes of action: negligent investigation; wrongful termination; breach of contract; libel/slander on form U-5; defamation, and fraud.

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 \$5,000,000.00, punitive damages in the amount of \$10,000,000.00; costs; attorneys' fees, and, correction of his

U-5.

Respondents requested that that Claimant's claims be dismissed and that they be awarded costs as determined by the Panel.

OTHER ISSUES CONSIDERED AND DECIDED

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

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

1. Respondents are jointly and severally liable for and shall pay to the Claimant \$2,200,000.00 in compensatory damages plus interest at the rate of 9% per annum accruing from the date of service of this Award until the date the Award is paid in full.
2. The Panel recommends the expungement of the reason for termination comment from Richard F. Meier's CRD record and that the following explanation be placed instead "terminated without cause." The Panel also recommends that the answer to question 7b be reformed to read "No." The Panel recommends this expungement to Richard F. Meier's registration records maintained by the NASD Central Registration Depository ("CRD") based on the defamatory nature of the information.
3. Any and all relief not specifically addressed herein, including punitive damages and sanctions, 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	= \$ 600.00
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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 persons at the time of the events giving rise to the dispute. Accordingly, Alliance Bernstein Investment Research is a party.

Member surcharge	= \$ 3,750.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$ 5,500.00

Forum Fees and Assessments

The Panel has assessed forum fees for each session conducted or each decision rendered on a discovery-related motion on the papers. A session is any meeting between the parties and the arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Decision on discovery-related motion on the papers
with (3) three arbitrators @ \$600.00 = \$ 600.00
Claimant submitted (1) discovery-related motion

One (1) Pre-hearing conference session with a single arbitrator @ \$450.00 per session
Pre-hearing conference: June 6, 2006 1 session = \$ 450.00

Five (5) Pre-hearing conference sessions with Panel @ \$1,200.00 per session
Pre-hearing conferences April 5, 2005 1 session = \$ 6,000.00
May 9, 2005 1 session
April 24, 2006 1 session
May 12, 2006 1 session
July 31, 2006 1 session

Twenty (20) Hearings with Panel @ \$1,200.00 per session = \$24,000.00
Hearings: December 12, 2005 2 sessions
December 13, 2005 2 sessions
December 15, 2005 2 sessions
December 16, 2006 2 sessions
December 19, 2006 2 sessions
June 19, 2006 2 sessions
June 20, 2006 2 sessions
August 17, 2006 2 sessions
August 18, 2006 2 sessions
August 28, 2006 2 sessions

Total Forum Fees = \$ 31,050.00

The Panel has assessed \$31,050.00 of the forum fees jointly and severally against the Respondents.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

1. Claimant requested duplication of 16 tapes @ \$15.00 per tape = \$ 240.00
2. Respondent Alliance Research requested duplication of 17 tapes
@ \$15.00 per tape = \$ 255.00

Fee Summary

1. Claimant is solely liable for:

Initial Filing Fee	= \$	600.00
Administrative Costs	= \$	240.00
Total Fees	= \$	840.00
Less payments	= \$	2,040.00
Refund Due the Claimant	= \$	1,200.00

2. Respondent Alliance Research is solely liable for:

Member Fees	= \$	10,000.00
Administrative Costs	= \$	255.00
Total Fees	= \$	10,255.00
Less payments	= \$	10,255.00
Balance Due NASD Dispute Resolution	= \$	0.00

3. Respondents are jointly and severally liable for:

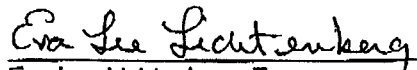
Forum Fees	= \$	31,050.00
Total Fees	= \$	31,050.00
Less payments	= \$	0.00
Balance Due NASD Dispute Resolution	= \$	31,050.00

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

ARBITRATION PANEL


Eva Lee Lichtenberg, Esq.	-	Public Arbitrator, Presiding Chairperson
Irene C. Warshauer, Esq.	-	Public Arbitrator
James J. Noone	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures



Eva Lee Lichtenberg, Esq.
Public Arbitrator, Presiding Chairperson

10/4/06
Signature Date



Irene C. Warshauer, Esq.
Public Arbitrator

10/3/06
Signature Date

James J. Noone
Non-Public Arbitrator

Signature Date

October 4, 2006
Date of Service (For NASD Dispute Resolution use only)

ARBITRATION PANEL

Eva Lee Lichtenberg, Esq.	-	Public Arbitrator, Presiding Chairperson
Irene C. Warshauer, Esq.	-	Public Arbitrator
James J. Noone	-	Non-Public Arbitrator

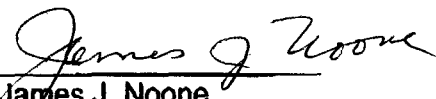
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Public Arbitrator, Presiding Chairperson

Signature Date

Irene C. Warshauer, Esq.
Public Arbitrator

Signature Date



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