

**AWARD
NASD DISPUTE RESOLUTION**

In the Matter of the Arbitration Between:

Lawrence Bilker, Claimant vs. LH Ross & Company, Inc., Robert J. Vitale, Jeffrey S. Weick and Dean R. Baker, Respondents

Case Number: 05-04854

SITUS: Philadelphia, Pennsylvania

NATURE OF DISPUTE: Customer v. Member and Associated Persons

REPRESENTATION OF PARTIES:

Lawrence Bilker, hereinafter referred to as "Claimant", was represented by G. Lynne Thorpe, Esq., Law Offices of G. Lynne Thorpe, New Rochelle, New York.

Respondents did not enter an appearance in this matter.

DATE FILED: September 15, 2005.

CASE SUMMARY: Claimant asserted the following causes of action, among others: failure to supervise, unsuitable recommendations, inappropriate investment advice, failure to communicate, churning, misstatements, omissions, and fraudulent concealment. The causes of action relate to the handling of Claimant's accounts by Respondents.

<u>Claim Data</u>		<u>Award Data</u>	
Claim:	\$75,439.00	Award:	\$ 70,000.00
Punitive:	amount unspecified	Punitive	\$ 0.00
Attorney's Fees:	\$36,148.00	Attorney's Fees:	\$ 0.00
Costs:	\$3,000.00	Costs:	\$ 3,000.00
Interest:	\$24,840.00	Interest:	\$ 12,600.00

OTHER ISSUES: By Motion for Default dated April 24, 2006, Claimant opted to proceed against Respondents pursuant to Rule 10314(e) of the *NASD Code of Arbitration Procedure* ("Code"). The arbitrator determined that Respondents were properly served notice of the Statement of Claim and Notification of the Arbitrator, and that Respondents 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 liable to and shall pay to Claimant the amount of \$70,000.00, plus simple interest at the rate of 6% in the amount of \$12,600.00; 2) All requests for attorney's fees are denied; 3) Respondents are liable to and shall pay to Claimant costs in the amount of \$3,000.00; 4) All requests for punitive damages are denied; and 5) All other relief requests are denied.

FEES:

Filing Fees

The \$225.00 filing fee previously deposited with NASD Dispute Resolution by Claimant shall be retained by NASD Dispute Resolution.

Forum Fees

The arbitrator assessed all forum fees in the amount of \$300.00 jointly and severally against Respondents.

ARBITRATOR:

Julian F. Santos

Sole Public Arbitrator


Julian F. Santos


(Signature Date)


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