



N.A.S.D. AWARD

Arbitration

National Association of
Securities Dealers, Inc.
NASD Financial Center
33 Whitehall Street
New York, New York 10004

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant(s)

Carl and Betty A. Reynolds, JTWROS

87-02041

Name of Respondent(s)

Shearson Lehman Brothers, Inc.

CASE SUMMARY

Claimants alleged that Respondents defrauded them in the sale of common stock and failed to follow the Claimants' instructions in the sale of this common stock in their account. Respondents maintained that the Claimants were sophisticated investors who had an aggressive trading history and further asserted that the Respondents acted at all times in a professional manner in accordance with brokerage procedure and exchange and governmental regulations.

RELIEF REQUESTED

Claimants requested damages in the amount of \$5,925.00 plus interest at the rate of 9% from October 22, 1987. Respondents requested that the claim of the Claimants be dismissed and asserted a counterclaim for \$4,154.65 plus interest, costs and attorneys fees.

AWARD

On March 9, 1990 in Buffalo, New York, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by the Claimants Carl R. and Betty A. Reynolds on December 21, 1987 and by Respondent Shearson Lehman Brothers, Inc. on April 22, 1988. The initial Statement of Claim was filed on October 29, 1987. The

arbitrators, having considered the pleadings, the testimony, and the evidence presented, has determined in full and final resolution of the issue submitted for determination as follows:

(1) Respondent Shearson Lehman Brothers, Inc. is liable and shall pay to the Claimants Carl R. and Betty A. Reynolds the sum of Two Thousand One Hundred Dollars and No Cents (\$2,100.00) plus interest at the rate of 9% from October 22, 1987 through the date of payment of this award.

(2) The counterclaim of Respondent Shearson Lehman Brothers, Inc. be and hereby is dismissed.

(3) The parties shall each bear their own respective costs, including attorneys fees.

(4) Pursuant to Section 43 of the Code of Arbitration Procedure, the NASD, Inc. shall retain the \$200.00 filing fee previously deposited by the Claimants and assesses \$200.00 in forum fees against Respondent Shearson Lehman Brothers, Inc. as costs of the two hearing sessions conducted in this matter.

Arbitrator(s) Signature

Robert Gleichenhaus, Esq.

James Parker

Richard Hilliker

Dated: 10/12/90

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Arbitrator(s) Signature


Robert Gleichert, Esq.

James Parker

Richard Hillier

Dated: