

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Eunice Combs Stevens
Stephen Combs

Claimants

Case #87-02657
AWARD

vs.

Shearson Lehman Hutton, Inc.
Stephen Colantuno
Michael Neft
Carol Morris

Respondents

CASE SUMMARY

Claimants allege that Respondents improperly transferred funds from her accounts, and from a joint account with her son Stephen Combs, to her husband Stanford Stevens. Respondents deny the allegations and assert that all distributions were made only upon verbal and/or written authorization by Claimant, Eunice Combs Stevens.

RELIEF REQUESTED

Claimants seek \$59,249.00 in damages and \$1,000,000.00 in punitive damages, plus interest income on the principal sum lost plus attorney's fees. Respondents seek dismissal and costs.

AWARD


On November 14, 1989, the undersigned arbitrators heard the controversy at the offices of the National Association of Securities Dealers, Inc. located in Philadelphia, PA between the parties as set forth in submission to arbitration signed by Claimant Eunice Stevens on December 14, 1987, and by Claimant Stephen Combs on March 10, 1988, and by Respondent Shearson Lehman Hutton, Inc. on November 11, 1988, and by Respondent Stephen Colantuno on July 29, 1988, and Respondent Michael Neft on November 29, 1988, and by Respondent Carol Morris on November 14, 1989. The arbitration panel, having considered the pleadings, the testimony, and the evidence presented at the hearing, has determined in full and final resolution of the issues submitted for determination as follows:

1. Respondents Shearson Lehman Hutton, Inc. and Stephen Colantuno be and hereby are jointly and severally liable and shall pay to Claimants

Thirty Five Thousand Eight Hundred Seventy Eight Dollars and Fifty Cents (\$35,878.50) with no interest.

2. Claims against Respondents Michael Neft and Carol Morris be and hereby are denied.
3. Claims for punitive damages be and hereby are denied.
4. The parties shall each bear their respective costs including attorney's fees.
5. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$1,000.00 filing fee previously deposited by the Claimants, and assess an additional \$1000.00 against Respondent Shearson Lehman Hutton, Inc.

ARBITRATORS CONCURRING


Guillermo L. Bosch

Albert Mancini, Jr.

Frank T. Salera


This Day of December 7, 1989

Thirty Five Thousand Eight Hundred Seventy Eight Dollars and Fifty Cents (\$35,878.50) with no interest.

2. Claims against Respondents Michael Neft and Carol Morris be and hereby are denied.
3. Claims for punitive damages be and hereby are denied.
4. The parties shall each bear their respective costs including attorney's fees.
5. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$1,000.00 filing fee previously deposited by the Claimants, and assess an additional \$1000.00 against Respondent Shearson Lehman Hutton, Inc.

ARBITRATORS CONCURRING

Guillermo L. Bosch



Albert Mancini, Jr.

Frank T. Salera

This Day of December 11, 1989


Thirty Five Thousand Eight Hundred Seventy Eight Dollars and Fifty Cents (\$35,878.50) with no interest.

2. Claims against Respondents Michael Neft and Carol Morris be and hereby are denied.
3. Claims for punitive damages be and hereby are denied.
4. The parties shall each bear their respective costs including attorney's fees.
5. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$1,000.00 filing fee previously deposited by the Claimants, and assess an additional \$1000.00 against Respondent Shearson Lehman Hutton, Inc.

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