

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

MICHAEL S. FLEISHER

Claimant

Case #88-00101

vs.

Award

BROOKS, WEINGER, ROBBINS & LEEDS, INC.

Respondent

On April 11, 1989, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant, Michael S. Fleisher on January 8, 1988. Brooks, Weinger, Robbins & Leeds, Inc. did not execute a Submission Agreement. Although Respondent submitted a Statement of Answer, it chose not to appear at the hearing and to rest upon its pleadings. Claimant did not object and pursuant to Sections 28 and 29 of the Code of Arbitration Procedure, the undersigned arbitrators determined that the hearing should proceed in Respondent's absence. 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. Respondent Brooks, Weinger, Robbins & Leeds, Inc. and Robbins is hereby liable to Claimant Michael S. Fleisher in the amount of Seven Thousand Five Hundred Dollars and Zero Cents (\$7,500.00).
2. The parties shall each bear their respective costs including attorneys' fees.
3. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall refund the \$400.00 filing fee previously deposited by the Claimant and shall assess Respondent \$400.00 in forum costs which shall be made payable to the NASD.


Jannice T. Connell, Esq.


Harry E. Gerhard, Jr.


Robert M. Stewart

Dated: May 15, 1989