

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Donald C. Schmucker

Claimant

vs.

Oppenheimer & Co., Inc.

Respondent

CASE #88-00915
AWARD

CASE SUMMARY

Claimant asserts that Respondent failed to execute orders as instructed. Respondent contends Claimant failed to pay for stock despite due demand.

RELIEF REQUESTED

Claimant seeks damages of \$25,000.00. Respondent counterclaims for \$32,930.00, plus interest and costs.


AWARD

On September 19, 1989, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant on February 29, 1988, and by Respondent on May 11, 1988. 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. Claims by Claimant be and hereby are dismissed.
2. As to the counterclaim Donald C. Schmucker be and hereby is liable and shall pay Respondent Thirty One Thousand One Hundred Thirty Dollars and No Cents (\$31,130.00).
3. The parties shall each bear their respective costs including attorney's fees.
4. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$200.00 filing fee previously deposited by the Claimant, and assess an additional \$400.00 against Respondent Oppenheimer & Co., Inc.

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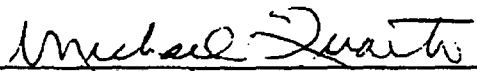
ARBITRATORS CONCURRING



Thomas G. Meeker



Chess B. Faircloth



Michael Quarto

DATED: November , 1989