

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Raymond Jallow

Claimant

vs.

Bear Stearns & Co., Inc.

Respondent

AWARD

CASE NO. 88-01270

SUMMARY OF ISSUES

This case was filed with the National Association of Securities Dealers, Inc. ("NASD") on April 20, 1988. Claimant alleged that on April 21, 1986, he placed a telephone order with Respondent to sell a specified number of shares in five over-the-counter stocks and that Respondent either failed to execute or only partially executed the sell orders, thereby incurring losses.

Respondent maintained that it used its best efforts to execute the sell orders, that Claimant was at all times aware of the rapidly declining market in the securities in question including intermittent trading halted in two of the securities, and that Claimant rejected valid bids and cancelled sell orders.

DAMAGES AND RELIEF REQUESTED

Claimant requested damages, as amended at the hearing, in the amount of \$665,472.00 representing actual damages plus 10% interest calculated as: \$416,485.00 for Texas State Video, \$133,108.00 for Hammer, \$62,874.00 for Greenwich, \$34,725.00 for Chancellor and \$18,330.00 for Discovery.

Respondent requested dismissal of the Claim.

DAMAGES AND RELIEF AWARDED

On June 11, 1990, a pre-hearing conference was held via telephone conference call in accordance with Section 32 of the Code of Arbitration Procedure and lasted one session.

On June 19 and 20, 1990, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant on April 19, 1988 and by Respondent on July 22, 1988. The hearing was conducted in Los Angeles, California and lasted four sessions. 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. Each and every claim alleged against Respondent Bear Stearns & Co., Inc. is hereby dismissed.

2. The parties shall each bear their respective costs including attorneys' fees.

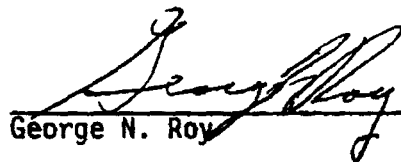
3. In accordance with Section 43 of the NASD Code of Arbitration Procedure, the NASD shall retain the \$1,000.00 filing fee previously deposited by the Claimant. In addition, forum fees are assessed against Claimant and Respondent in the amount of \$1,500.00 respectively, to be paid to the National Association of Securities Dealers, Inc., directly.

OTHER ISSUES

The parties stipulated to the execution and service of the award in counterpart copies.

PRESIDING ARBITRATORS

DATE SERVED: 07/20/90


George N. Roy

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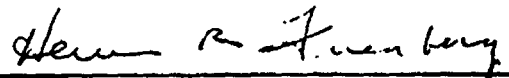
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Herman R. Friedberg

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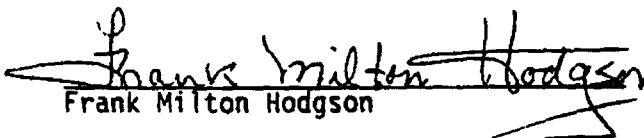
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DATE SERVED: 07/20/90


Frank Milton Hodgson
