

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Dale D. Schwartzenhauer Claimant

vs.

Greenfield/Campbell, Inc. and Respondents
Charles Campbell

AWARD

CASE NO. 88-02451

SUMMARY OF ISSUES

This case was filed on August 1, 1988. Claimant alleged the following: 1. wage claim; 2. breach of oral contract; and 3. fraud, with respect to employment with Respondent. Respondent denied the allegations and counterclaimed for the return of discounted commissions.

DAMAGES AND RELIEF REQUESTED

Claimant requested the following: 1. Lost wages of \$1,894.04 plus interest of nine percent from May 3, 1988 until paid; 2. Penalty wages of \$4,431.79 pursuant to ORS 652.150; 3. Compensatory damages of \$2,500.00 for breach of an oral contract, plus nine percent interest from September 15, 1989 until paid; 4. Punitive damages of \$7,500.00; 5. Attorneys' fees pursuant to ORS 652.200(2); and 6. Costs and disbursements.

DAMAGES AND RELIEF AWARDED

On March 9, 1990 in Portland, Oregon, the undersigned arbitrators heard the controversy in one session between the parties as set forth in submissions to arbitration signed by Claimant on July 25, 1988 and by Respondents on September 9, 1988. Respondents, although duly notified, did not appear at the arbitration but are subject to National Association of Securities Dealers, Inc. ("NASD") jurisdiction pursuant to Sections 8 and 29 of the NASD Code of Arbitration Procedure. 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 are jointly and severally liable for and shall pay to Claimant, on the first cause of action, the sum of \$1,894.04 plus nine percent simple interest from April 22, 1988 until paid.

2. Respondents are jointly and severally liable for and shall pay to Claimant, on the third cause of action (breach of contract), the sum of \$2,500.00 plus nine percent simple interest from September 15, 1987 until the claim is paid.

3. Respondents are jointly and severally liable for and shall pay to Claimant the sum of \$4,431.79 in penalty wages pursuant to ORS 652.150.

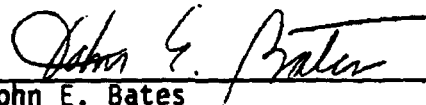
4. Respondents are jointly and severally liable for and shall pay to Claimant the sum of \$2,500.00 in attorneys' fees pursuant to ORS 652.200(2).

5. The parties shall each bear their respective costs.

6. Pursuant to Section 43 of the NASD Code of Arbitration Procedure, the NASD shall retain the \$400.00 filing fee previously deposited by the Claimant.

PRESIDING ARBITRATORS

DATE SERVED: 04/02/90


John E. Bates

Stephen Jackson

Fay L. Thompson