

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Robert G. Neuhauser

Claimant

vs.

Case #88-02767

Shearson Asset Management, Inc.

Respondent(s)

Case Summary

Claimant, Robert G. Neuhauser, alleged Respondent, Shearson Asset Management, Inc. breached its contractual and fiduciary duty to follow Claimant's instructions not to invest Claimant's funds of \$200,000.00 until after the occurrence of a major market correction.

Relief Requested

Claimant requested damages of \$95,435.00. Respondent requested dismissal of claim and that the costs be assessed against the Claimant.

Award

On August 1, 1989 the undersigned arbitrators heard the controversy between the parties at the offices of the National Association of Securities Dealers, Inc. located in Philadelphia, Pa. as set forth in submissions to arbitration signed by Claimant on August 24, 1988 and by Respondent on November 10, 1988. Counsel for the parties submitted briefs at the request of the arbitrators following adjournment of the hearing on the issues of liability and damages.

The arbitration panel at a third session on August 2nd, 1989 considered the pleadings, the testimony, and the evidence presented at the hearing, reviewed the detailed briefs and has determined in full and final resolution of the issues submitted for determination as follows:

1. The Claim of Mr. Neuhauser be and hereby is dismissed in its entirety.
2. The parties shall each bear their respective costs including attorney's fees.
3. Pursuant to Section 43(c) of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$500.00 filing fee previously deposited by the Claimant and shall charge the amount of \$1,000.00 against the Respondent as forum fees.

Arbitrators Concurring


Thomas G. Meeker, Esq.


Albert Mancini, Jr.


Deborah C. Mohr