

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Alvin J. Abrams

Claimant

vs.

Case #88-02938

Smith Barney, Harris, Upham & Co., Inc.
Respondent(s)

Case Summary

Claimant asserts he placed orders to purchase stock with Respondent on October 20 and 21, 1987 which were never executed. Respondent contends that failed executions were the product of unforeseeable market conditions, which Respondent should not be liable for.

Relief Requested

Claimant seeks damages of \$9,450.00 with interest from October 22, 1987. Respondent seeks dismissal of the claim.

Award

On August 22, 1989 the undersigned arbitrator 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 16, 1988 and by Respondent on November 18, 1988.

After consideration of the pleadings, the testimony, and the evidence presented at the hearing, the undersigned arbitrator has determined, in full and final resolution of the issues submitted for determination, as follows:

1. The Claim of Mr. Abrams 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 \$200.00 filing fee previously deposited by the Claimant and shall charge forum fees in the amount of \$200.00 against the Respondent.

Dated: August 31, 1989


THOMAS G. MEEKER, ESQ.