

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Stephen Luchka  
Mary Luchka

Claimants

CASE #88-03150  
ORDER

vs.

Advest, Inc.  
Seymour Klein

Respondents

Case Summary

Claimants assert Respondents made unsuitable margin investments which resulted in losses in October 1987. Respondents deny the allegations and assert that Claimants retained and exercised sole authority to authorize purchase and trades and further they were educated and sophisticated and appreciated the risk of margin trading, which had been acquired during 21 years of speculative market activity.

Relief Requested

Claimants seek \$71,304.78 in damages. Respondents seek dismissal.

Order

On December 7, 1989 the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by Claimants on October 6, 1988 and by Respondent, Advest, Inc. on December 21, 1988, and by Respondent Seymour Klein on July 18, 1989. Subsequent to the initiation of hearing during the second hearing session in New York City the arbitrators were notified on the record that a settlement had been reached.

1. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$500.00 filing fee previously deposited by the Claimants and assess an additional \$500.00 against Respondent Advest, Inc.

Case #88-03150  
Page 2  
Order

Concurring Arbitrators

Deborah Sherman  
Deborah Sherman

David Adler  
David Adler

Lewis Silver  
Lewis Silver

This Day of December 21, 1989