

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Daniel Tuteur

Claimant(s)

vs.

Blinder Robinson & Co., Inc.

Respondent(s)

NOTICE OF ARBITRATION

AWARD

88-03480

CASE SUMMARY

Claimant Daniel Tuteur alleged that Respondent Blinder Robinson & Company, Inc. mishandled his account. Respondents maintain that they were unable to secure a response.

RELIEF REQUESTED

Claimant Daniel Tuteur requested damages of Two Thousand Five Hundred Dollars (\$2,500.00). Respondents requested dismissal of claim and costs.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, Leo B. Rotter, was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on November 8, 1988 and by Respondents on February 3, 1989. The Arbitrator, having considered the proofs of the parties, has determined in full and final resolution of the issue submitted for determination as follows:

The Respondent, Blinder Robinson & Company, Inc. is liable and shall pay the sum of Three Thousand Two Hundred Dollars (\$3,200.00) to the Claimant. This award consists of Two Thousand Five Hundred Dollars (\$2,500.00) in compensatory damages, Five Hundred and Eighty Dollars (\$580.00) in interest and One Hundred and Twenty Dollars (\$120.00) in damages and costs. Also Respondent will transfer Claimant's Biflyx position from his account and receive all rights and title to the shares (if the shares are in the Claimant's possession, he will make good delivery promptly after receiving the award).

The parties shall each bear their respective costs including attorney's fees.

The \$25.00 filing fee previously deposited with the NASD, Inc. by the Claimant shall be retained by the NASD as costs of this proceeding.

August 10, 1989