

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

IN THE MATTER OF THE ARBITRATION BETWEEN :

Carmella M. Parrillo :

Claimant :

Case #88-03648

vs. :

AWARD

Shearson Lehman Hutton, Inc. :

Respondent :

CASE SUMMARY

This proceeding was commenced initially on November 22, 1988 against the Respondent E.F. Hutton & Co., Inc., presently known as Shearson Lehman Hutton, Inc. ("Shearson"), and arises out of a certain account maintained by the Respondent in Boston, Massachusetts. Claimant asserts that the Respondent is liable for certain losses incurred in the account while the broker Bruce Peck was employed with the Respondent. Claimant alleges that the Respondent breached its duty to Claimant by recommending the sale of an unsuitable investment to the Claimant, by charging excessive fees and commissions and by failing to follow the Claimant's instructions in the account.

Respondents deny any breach of duty and liability owed to Claimant with respect to the accounts. Respondents essentially contend that the broker recommended investments to the Claimant which were safe and generated income as requested, and that each transaction was approved by the Claimant. The Respondents additionally contend that the fees and commissions assessed in the accounts were commensurate with those charged in the business.

RELIEF REQUESTED

The Claimant requests compensatory damages in the amount of \$4,600.00. The Respondent requests a dismissal of the claim.

AWARD

On January 24, 1990, said dates representing one (1) hearing session in Boston, MA, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant and Respondent hereto. The arbitrator, 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. The claim of Claimant Carmella M. Parrillo against Respondent E.F. Hutton & Co., Inc. shall be denied.
2. The parties shall each bear their respective costs including attorney's fees.
3. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$100.00 filing fee previously deposited by the Claimant as costs of the one hearing session conducted in this matter.

CONCURRING ARBITRATOR

DATED: March 13th, 1990