

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Oppenheimer & Co., Inc.

Claimant

vs.

Anthony Dante

Respondent

Case #88-03652
AWARD

CASE SUMMARY

Claimant Oppenheimer & Co., Inc. seeks return of a dividend on Newmont Mining on which Respondent Anthony Dante incorrectly received a double payment due to Claimant's office error.

RELIEF REQUESTED

Claimant seeks \$16,500.00 together with interest and costs including attorneys' fees, which at the hearing Claimant's counsel calculated at \$20,343.11.

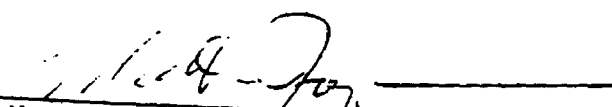
AWARD

On February 21, 1990, the undersigned arbitrator heard the controversy between the parties as set forth in submissions to arbitration signed by the Claimant, on November 15th, 1988. The hearing was held in New York City and consisted of one session. Respondent neither appeared at the hearing nor filed an answer or submission agreement. Due notice is found, however, both by proof of service by certified mail and by affidavit of personal service by a process server. 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. Respondent be and hereby is liable and shall pay to Claimant Sixteen Thousand Five Hundred Dollars and No Cents (\$16,500.00);
2. The parties shall each bear their respective costs, including attorneys' fees;
3. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$400.00 filing fee previously deposited by the Claimant.

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ARBITRATOR CONCURRING



Martin Fogelman, Esq.

Dated: March _____, 1990

STATE OF *New York* s .S.:
COUNTY OF *New York*

On this *1st* day of *March*, 19 *90*, before me personally
appeared Martin Fogelman, Esq. known and known to me to be the individual
described in and who executed the foregoing instrument and be duly acknowledged
to me that he/she executed the same.

Carol Devito

CAROL DEVITO
Notary Public, State of New York
No. 31-7228220
Qualified in New York County
Commission Expires *3/31/90*