

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

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| In the Matter of the Arbitration Between |             |                   |
| Marion & Cynthia White                   | Claimants   |                   |
| vs.                                      |             | AWARD             |
| Bateman Eichler, Hill                    | Respondents |                   |
| Richards, Inc. and Jack Block            |             | CASE NO. 89-00254 |

SUMMARY OF ISSUES

This case was filed with the National Association of Securities Dealers, Inc. ("NASD") on January 23, 1989. Claimants Marion and Cynthia White allege that Respondent Jack Block, while employed by Respondent Bateman Eichler, Hill Richards, Inc. ("Bateman"), recommended certain purchases of common stock for their accounts that were unsuitable in light of Claimants' investment objectives, income and net worth. Claimants also allege fraud and deceit, unauthorized trading, churning, unsuitability, breach of fiduciary duty and failure to supervise.

Respondents deny each and every allegation in the claim and also assert that the Claimants are very sophisticated investors who knew exactly what they were doing in their accounts. Respondents also allege that any losses in Claimants' accounts were caused by market conditions and not through any overt acts by Respondents.

DAMAGES AND RELIEF REQUESTED

Claimants seek to recover in an amount in excess of \$10,000.00 but less than \$20,000.00, plus interest and costs.

Respondents seek dismissal of each and every claim of Claimants.

DAMAGES AND RELIEF AWARDED

On May 11, 1990, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by Claimants on January 16, 1989 and by Respondents Bateman Eichler, Hill Richards, Inc. on March 28, 1989 and L. Jack Block on March 21, 1989. The hearing was held in San Francisco, California and lasted two sessions. The arbitration panel, 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. Each and every claim of Claimants Marion and Cynthia White is dismissed.