

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

William Lartz

89-00537

Name of Respondent

Mark Williamson

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. ("NASD") on or about February 17, 1989 and in the Amended Statement of Claim which was filed with the NASD on or about February 1, 1991 William Lartz ("Claimant") alleged that Mark Williamson engaged in churning of his account and breach of fiduciary duty. Claimant specifically alleged that in 1987, Respondent while employed at Blinder Robinson & Co., Inc. made 51 purchases or sales in his account most of which were made without prior consultation with Claimant.

In the Statement of Answer filed with the NASD on or about June 22, 1989, Respondent denied the allegations against him and stated that each and every transaction in the Claimant's account was made with the Claimant's approval.

RELIEF REQUESTED

Claimant requested an award of the commissions, interest, fees paid in connection with the Claimant's account, and the decline in the value of the Claimant's account.

Respondent requested that the Statement of Claim be dismissed in its entirety.

OTHER ISSUES

Blinder, Robinson & Co., Inc. was dismissed as a result of its filing for bankruptcy. James Lindberg was voluntarily dismissed from this matter as a result of a settlement agreement.

PROCEDURAL MATTERS

On Monday, March 25, 1991 in Chicago, Illinois during a hearing lasting

a total of two (2) sessions, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed on February 14, 1989 by Claimant William Lartz and on May 31, 1989 by Respondent Mark Williamson.

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered. In either case, the parties have agreed to receive conformed copies of the award while the original(s) remain on file with the NASD.

AWARD

The arbitration panel, having considered the pleadings, the testimony, and the evidence presented at the hearing, has decided in full and final resolution of the issues submitted for determination as follows:

1. The Statement of Claim shall be and hereby is dismissed and denied in its entirety;
2. Each party shall bear its own costs and expenses incurred in this matter; and
3. Pursuant to Section 43(c) of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the hearing session deposit in the amount of \$ 350.00 previously deposited with the NASD by the Claimant. Claimant shall pay to the NASD the sum of \$150.00 as forum fees and Respondent shall pay the sum of \$500.00 as forum fees.

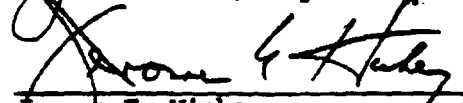
Dated:

March 25, 1991

March 25, 1991


Ronald L. Futterman, Esq.
Presiding Chair


Janet L. Reali, Esq.


Jerome E. Hickey
Industry Arbitrator

3/26/91