

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between :
: Mark Sharon : AWARD
: Claimant : #89-00965
vs. :
: Shearson Lehman Brothers, Inc. a/k/a :
Shearson American Express, Inc. :
Respondent :

Case Summary

Claimant Mark Sharon alleged that Respondent Shearson Lehman Brothers, Inc. induced him to purchase stocks on margin that created losses to the Claimant when these allegedly unsuitable stocks were sold without authorization. Respondent Shearson Lehman Brothers, Inc. maintained that the Claimant understood the risks of trading on margin as disclosed to him and any losses were due to legitimate and unforeseeable market fluctuations.

Relief Requested

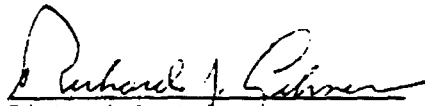
Claimant requested damages in the amount of \$33,113.83. Respondent requested that the claim of the Claimant be dismissed and Respondent be awarded costs, including attorney fees.

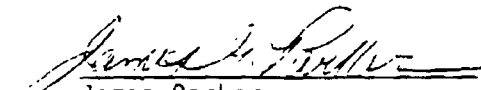
Award

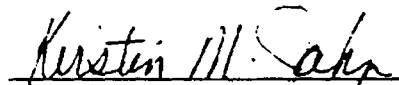
On March 26, 1990 in Buffalo, New York in one (1) hearing session, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant Mark Sharon on February 9, 1987 and by Respondent Shearson Lehman Brothers, Inc. on June 30, 1989. The initial claim was filed on March 30, 1989. The arbitrators, 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 Shearson Lehman Brothers, Inc. is liable and shall pay to the Claimant Mark Sharon the sum of Five Thousand Eight Hundred Seventy Dollars and No Cents (\$5,870.00).
2. The parties shall each bear their respective costs including attorney fees.
3. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall refund \$200.00 of the \$400.00 filing fee previously deposited by the Claimant. All other forum fees are waived.

CONCURRING ARBITRATORS


Richard J. Lehner


James Parker


Kirstin M. Jahn