

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between)	
)	
<u>Name of Claimant</u>)	
)	
Mark S. Stanley)	Case
)	#89-01266
)	
<u>Name of Respondents</u>)	
)	
Shearson Lehman Hutton, Inc.)	
William J. Marr and Lee Collins)	
)	

CASE SUMMARY

Claimant, Mark S. Stanley alleged that Respondents failed to disclose the risks to him inherent in options trading and recommended unsuitable options trading to him. Claimant further alleged that Respondents churned his account in order to generate excessive commissions.

Respondents, Shearson Lehman Hutton, Inc., William J. Marr and Lee Collins maintained that all transactions executed in the Claimant's account were disclosed to him and that Claimant failed to purchase more conservative investment vehicles when they were recommended to him by the Respondents.

RELIEF REQUESTED

Claimant, requested compensatory damages of \$90,968.00, punitive damages of \$250,000.00 plus lost interest, attorneys fees and costs of \$30,000.00.

Respondent requested that the claims of the Claimant be dismissed and asserted a counterclaim for \$11,947.00 for an outstanding debit in his account.

AWARD

On August 23, 1990 and August 24, 1990 in Norfolk, Virginia, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by the Claimant, Mark S. Stanley on April 12, 1989, by Respondent, William J. Marr on May 14, 1990 and not signed by Respondents Shearson Lehman Hutton, Inc. and Lee Collins as required by Sections 12 and 25 of the Code of Arbitration Procedure.

The initial claim was filed on April 28, 1989. 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. The claims of the Claimant be and hereby are dismissed in all respects.

2. The counterclaim of the Respondents be and hereby is dismissed in all respects.

3. The parties shall each bear their respective costs, including attorneys' fees.

4. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$750.00 filing fee previously deposited by the Claimant.

5. Claimant is assessed forum fees in the amount of \$750.00 and Respondents are assessed jointly and severally \$1,500.00 in forum fees payable to the NASD, Inc. through its staff administrator in accordance with Section 43 or the Code of Arbitration Procedure as costs of the four (4) hearing sessions conducted in this matter.

Arbitrators Signatures

/s/ William C. Boinest

/s/ George Stames

/s/ Arnald B. Crews

Dated: October 12, 1990