

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Barry Pezzner

Claimant(s)

vs.

Shearson Lehman Hutton, Inc.
and William Lenihan

Respondent(s)

NOTICE OF
ARBITRATION
AWARD
89-01763

CASE SUMMARY

Claimant(s) Barry Pezzner alleged that Respondent(s) Shearson Lehman Hutton, Inc. and William Lenihan misrepresented or failed to inform as to material facts concerning Claimant's investment with Respondent. Respondent(s) deny Claimant's allegations.

RELIEF REQUESTED

Claimant(s) Barry Pezzner requested damages of Ten Thousand Dollars and No Cents (\$10,000.00). Respondent(s) requested dismissal of claim and costs.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, Perry E. Wallace, Jr., Esq., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant(s) on June 2, 1989 and by Respondent(s) on September 15, 1989, respectively;

And, that the Arbitrator, having considered the proofs of the Parties, including any additional documentary submissions of the Claimant(s) and the Respondents(s) has decided and determined in full and final resolution of the issue submitted for determination as follows:

The claim of the Claimant shall be dismissed in its entirety.

The parties shall each bear their respective costs including attorney's fees.

The \$200.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be retained by the NASD as costs of this proceeding.

January 12, 1990