

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Marlene Gershman  
Shelly Gershman  
Joshua Gershman

Claimants

vs.

Kurz Liebow & Co., Inc.  
Vincent Preziotte

Respondents

CASE #89-01850  
AWARD

CASE SUMMARY

Claimant alleged that Respondents induced her to make unsuitable investments in Morgan Energy Partners. Respondents denied the allegations and argued that Claimant was fully advised and should have read the prospectus concerning the nature of her investments. Further that she met the requirements for investor set forth in the prospectus.

RELIEF REQUESTED

Claimant seeks damages of approximately \$29,000.00, counsel fees and costs. Respondents seek dismissal.

AWARD

On May 22, 1990, the undersigned arbitrator heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant on May 26, 1987. The hearing was held at the NASD, Inc. located in New York City, NY and consisted of three (3) hearing sessions. The arbitrator, 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. Respondents Vincent Preziotte and Kurz Liebow & Co., Inc. be and hereby are jointly and severally liable and shall pay to the Claimant the sum of Fifteen Thousand Dollars and No Cents (\$15,000.00), in full settlement of all claims.

2. The parties shall each bear their respective costs, except as to forum fees below, including attorney's fees.
3. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$400.00 filing fee previously deposited by the Claimant, and assess \$800.00 jointly and severally against Respondents Kurz Liebow & Co., Inc. and Vincent Preziotte.

CONCURRING ARBITRATOR

/s/ \_\_\_\_\_  
Arnold O. Flicker

DATED: June 5, 1990