

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

HARRY B. NEEL, M.D.

Claimant

and

EARL R. BETTS AND  
PRUDENTIAL-BACHE SECURITIES, INC.

Respondents

CASE NO. 89-01876

CASE SUMMARY

In a claim filed with the NASD on or about June 28, 1989, Claimant Harry B. Neel, M.D. ("Claimant") alleged that Respondents Prudential Bache Securities, Inc. ("Pru-Bache") and Earl R. Betts, Jr. ("Betts") (collectively as ("Respondents")) failed to disclose all material facts concerning the writing of naked puts and covered calls in Uphohn Compay; that the options transactions were unauthorized; that Claimant was not suitable for options transactions; and that Respondents violated Minnesota Securities Laws.

In their joint answer filed with the NASD on or about September 11, 1989 Respondents denied the allegations and stated that Claimant was fully advised of the risks and rewards associated with the purchase and sale of options.

RELIEF REQUESTED

Claimant requested an award in the amount of \$27,572.12 plus interest, attorneys fees and costs.

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

AWARD

On Tuesday, July 24, 1990 in Minneapolis, Minnesota during a hearing lasting three (3) sessions, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed on June 23, 1989 by Claimant Harry B. Neel. Respondents did not properly execute submissions to arbitration. However, Respondents were required to submit to arbitration pursuant to Section 12 of the NASD Code of Arbitration Procedure and having answered the claim, and having appeared at the hearing are bound by the panel's final determination on all issues submitted.

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 not specifically enumerated herein; and
3. Pursuant to Section 43(c) of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain as forum fees, the \$400.00 filing fee previously deposited with the NASD by the Claimant Harry B. Neel.

By the Panel

Dated: _____	/S/	_____ Jack D. Elmquist, Esq. Presiding Chair
Dated: _____	/S/	_____ Louis S. Schoen
Dated: _____	/S/	_____ Lawrence Walter Carlsen

Date Served 8/15/90