

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

: In the Matter of the Arbitration Between	:	
:	:	
: Alfred W. Rousseau	:	
: June M. Kupfer	:	
:	:	
: Claimants	:	CASE #89-02413
: vs.	:	AWARD
:	:	
: PaineWebber, Inc.	:	
:	:	
: Respondent	:	
:	:	

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on August 28, 1989 Claimants Alfred W. Rousseau and June M. Kupfer alleged that Respondent through its account representative churned the Claimants' account thereby generating excessive commissions in their account. Respondent PaineWebber, Inc. maintained the Claimant ordered every trade in their account and made every decision as to what to purchase or sell and the account representative had to obtain the Claimants' prior approval before making a trade. Respondent further maintained Claimants received PaineWebber, Inc. monthly statements and confirmations showing all activities in their account.

RELIEF REQUESTED

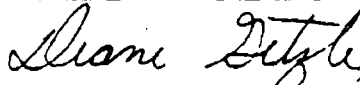
Claimants requested damages of \$45,289.92. Respondent requested dismissal of claim and that costs be assessed against the Claimants.

AWARD

On July 31, 1990 the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by Claimants Alfred W. Rousseau and June M. Kupfer on August 17, 1989 and by Respondent PaineWebber, Inc. on December 7, 1989. The hearing was held at the offices of the National Association of Securities Dealers, Inc. located in New York, NY and consisted of one (1) hearing session. 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 Respondent PaineWebber, Inc. be and hereby is liable and shall pay to the Claimants Alfred W. Rousseau and June M. Kupfer the sum of Thirty Thousand Dollars and No Cents (\$30,000.00).
2. The parties shall each bear their respective costs, including attorney's fees.
3. Pursuant to Section 43 of the Code of Arbitration Procedures, the National Association of Securities Dealers, Inc. shall retain the \$400.00 filing fee previously deposited by the Claimants and the Respondent PaineWebber, Inc. be and hereby is liable and shall pay to the Claimants the sum of \$400.00 to offset the filing fee.

CONCURRING ARBITRATORS



Diane Getzler



Richard E. Weber



Victor Alvarez

DATED: July 31, 1990