

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

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In the Matter of the Arbitration Between

Barbara Baker,

Claimant

and

89-02508

The Chicago Corporation and  
Ladd Duda,

Respondents

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CASE SUMMARY

In a claim filed with the NASD on or about September 8, 1989 Barbara Baker ("Claimant") alleged that Ladd Duda ("Duda") a broker at The Chicago Corporation ("Chicago Corp.")(collectively as "Respondents") made unauthorized sales of 5 covered calls of RJR Nabisco ("RJR") and 300 shares of Blockbuster Entertainment Corporation ("Blockbuster"). Claimant also alleged violations of RICO.

In their joint answer filed with the NASD on or about December 4, 1989, Respondents denied that they acted without the authorization of Claimant. Respondents specifically state that Claimant discussed each transaction with Duda and authorized the sales. Duda further denied that he understood that he had discretion over claimant's account.

RELIEF REQUESTED

Claimant requested an award in the amount of \$91,594.44, costs and attorneys fees. Claimant amended the amount requested at the hearing to \$20,920.00.

Respondants requested that the statement of claim be denied and that they be awarded costs and expenses including reasonable attorneys fees.

AWARD

On Wednesday, September 26, 1990 in Chicago, Illinois during a hearing lasting a total of two (2) sessions, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed on August 16, 1989 by Claimant Barbara Baker on November 29, 1989 by Victor Elting, III on behalf of Respondent The Chicago Corporation on November 29, 1989 by Respondent Ladd Duda.

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 including attorneys fees incurred in this matter not specifically enumerated herein;

3. Pursuant to Section 43(c) of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the filing fee in the amount of \$500.00 previously deposited with the NASD by the Claimant Barbara Baker. Respondents shall pay to the NASD the sum of \$500.00 as forum fees.

Sept 26, 1990  
Sept 26, 1990  
Sept 26, 1990

[Signature]  
[Signature]  
Michael F. Forder