

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Harry Berry, Jr.

Claimant(s)

vs.

Tucker Anthony, Inc.

Respondent(s)

NOTICE OF
ARBITRATION
AWARD

89-03093

CASE SUMMARY

Claimant(s) Harry Berry, Jr. alleged that Respondent(s) Tucker Anthony, Inc. misrepresented material facts as to Claimant's investment with Respondent. Respondent denies Claimant's allegations.

RELIEF REQUESTED

Claimant(s) Harry Berry, Jr. requested damages of Six Thousand Three Hundred Fifty One Dollars and No Cents (\$6,351.00). 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, Roneé C. McLaughlin, 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 October 20, 1989 and by Respondent(s) on February 5, 1989, respectively;

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

That due to lack of knowledge and investment sophistication on the part of Claimant, advice by Respondent to invest in a limited partnership was not appropriate investment advice for Claimant. Respondent is liable for not adequately explaining the risk involved in this type of investment and will pay to the Claimant the amount of One Thousand Dollars and No Cents (\$1,000.00).

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

Notice of Arbitration Award
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The \$200.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be refunded to the Claimant by the Respondent.

April 24, 1990