

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Robert B. Lucas

OATH AND
AWARD OF
ARBITRATOR

90-01167

Claimant

vs.

Shearson Lehman Hutton, Inc.

Respondents

AUG 10 1990

Having been selected as an arbitrator to consider and determine the matter in controversy between the above-captioned parties, I solemnly swear or affirm that:

- I am not an employer of, employed by or related by blood or marriage to any of the parties or witnesses whose names have been disclosed to me, and
- I have no interest directly or indirectly in this proceeding, and
- I know of no existing or past financial, business, professional, family or social relationship which would impair me from performing my duties, and
- I shall consider and decide the controversy faithfully and fairly and render a just award to the best of my understanding,

CASE SUMMARY

Claimant(s) Robert B. Lucas alleged that Respondent(s) Shearson Lehman Hutton, Inc. failed to correctly transfer ~~shares of securities~~ from Thomson McKinnon. Respondent Shearson Lehman Hutton, Inc. denies Claimant's allegations. Thomson McKinnon was removed from the proceeding due to bankruptcy.

RELIEF REQUESTED

Claimant(s) Robert B. Lucas requested damages of Four Thousand Five Hundred Dollars and No Cents (\$4,500.00). Respondent(s) requested dismissal of claim and costs.

The undersigned being the arbitrator selected to review and determine a matter in controversy between the above-mentioned Claimant(s) and Respondent(s), set forth in a submission to Arbitration signed by the Claimant on March 29, 1990 and not by the Respondent as required by Section 12(a) of the NASD, Inc. Code of Arbitration Procedure;

And, that having reviewed and considered the proofs of the Parties, including any additional documentary submissions of the Claimant(s) and the Respondent(s) has decided and determined that in full and final settlement of the above-captioned matter,

Note: Fill out only those sections which apply to this particular case: Case Number 90-01167

- 1) Case Dismissed _____
- 2) Find for the Claimant
(a) total amount of the award: \$ 3,000.00
(b) if two or more respondents are liable:
(1) joint and severally liable: yes _____ no _____
(2) if respondents separately liable
list party and the amounts: _____

- 3) Counterclaim of Respondent
(a) total amount of award: \$ _____
(b) party to receive award: _____
(c) counterclaim dismissed: _____
- 4) Punitive Damages
(a) total amount \$ _____
(b) name parties against whom damages are to be
assessed and in what amounts: _____

- (c) claim dismissed: _____
- 5) NASD Fee
(a) assessed against Claimant _____ X
(b) assessed against Respondent _____
- 6) Use this space to expand or clarify any part of the
decision above or to indicate other forms of specific
relief.

Shearson failed to provide the Automated Customer
Account Transfer System Asset Detailed Report to confirm that
the Claimant's Growth Fund Trust had been transferred.

AUG 29 1990

Affirmation

STATE OF VIRGINIA
CITY OF ALEXANDRIA
COUNTY OF

} SS:
}

I, PATRICK J. HALTER, do hereby affirm upon my oath
as arbitrator that I am the individual described in and who
executed this instrument, which is my oath and award.

August 29, 1990

(DATE)

Patrick J. Halter

(SIGNATURE OF ARBITRATOR)