



N.A.S.D. AWARD

Arbitration

National Association of
Securities Dealers, Inc.
NASD Financial Center
33 Whitehall Street
New York, New York 10004

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimants

Fidelity Brokerage Services Inc.
National Financial Services Corporation

vs.

Case #
90-01255

Name of Respondent

Peter Zuguang Wang

AWARD

CASE SUMMARY

Claimants, Fidelity Brokerage Services, Inc. and National Financial Services Corporation, allege that Respondent, Peter Zuguang Wang, who maintained accounts with them, placed two orders for the purchase of OEX put options which were executed on his behalf at the market on Monday, October 16, 1989, at a cost of \$163,000.00, that on his failure to pay therefor, they liquidated his account, and that after crediting his account with the proceeds thereof there was and there remains a debit balance due Claimant of \$105,260.00 as of December 31, 1989.

Respondent denies liability. He contends that Claimants gave him inaccurate and misleading information regarding the price of the options which he was contemplating purchasing which he relied upon and sustained a severe financial loss. Respondent further alleges that Claimant negligently handled his account and violated NASD Rules of Fair Practice and their own in-house requirements. Respondent interposed a Counterclaim for damages.

Claimants deny liability and deny any wrongdoing. Claimants further assert six affirmative defenses, including waiver and estoppel, laches and contributory negligence and conduct of respondent.

RELIEF REQUESTED

Claimants seek recovery of the debit balance, accrued interest, costs and attorney's fees. They further request that the panel dismiss the Counterclaim in its entirety. Respondent requests that the panel award him \$42,690.05, plus interest at a rate of ten percent (10%) from October 17, 1989, until the date of payment, costs and disbursements including reasonable attorney's fees.

AWARD

On November 1, 1990, and November 16, 1990, said dates representing four hearing sessions, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by the Claimants on April 10, 1990, and by the Respondent June 4, 1990. The Claimants' Statement of Claim was filed with the National Association of Securities Dealers, Inc. on May 4, 1990. The hearings were conducted in New York, New York. 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. Respondent, Peter Zuguang Wang, is hereby liable to the Claimants in the amount of Sixty Eight Thousand Eight Hundred and Sixty One Dollars and Zero Cent (\$68,861.00);
2. No interest is awarded on the above sum;
3. The Counterclaim is hereby dismissed;
4. The parties shall each bear their respective costs, including attorney's fees;
5. Forum fees for four hearing sessions in the amount of \$3,000.00 (\$750.00 per session X 4) have been assessed and shall be divided equally between the parties as indicated below;
6. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$500.00 non-refundable filing fee previously deposited by the Claimants. Claimants are assessed \$1,500.00 in forum fees and their deposit of \$750.00 shall be credited toward this fee. Therefore, the total amount to be remitted to the NASD, Inc. shall be \$750.00;
7. Respondent is assessed forum fees in the amount of \$1,500.00 which shall be made payable to the NASD, Inc.

CONCURRING ARBITRATOR

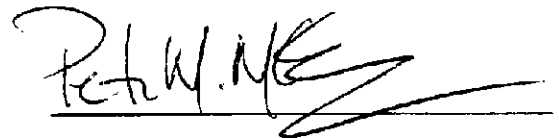

Edward M. Sills

Dated by the NASD: November 30, 1990

STATE OF NEW YORK
COUNTY OF NEW YORK

S.S.:

On this 26th day of November, 1990, before me personally
appeared Edward M. Sills known and known to me to be the
individual described in and who executed the foregoing instrument
and he duly acknowledged to me that he executed the same.



PETER M. MCCARTHY
Notary Public, State of New York
No. 4945846
Qualified in Kings County
Commission Expires 10-31-91