

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

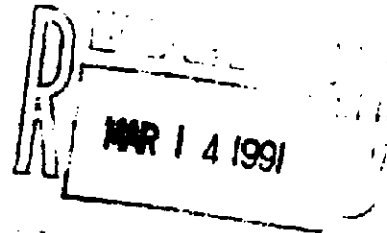
Name of Claimants

James and Suzanne K. Domoracki

90-01393

Name of Respondents

Wesley Hayne  
Hayne Miller and Swearingen, Inc.



CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. ("NASD") on or about May 16, 1990, James and Suzanne K. Domoracki ("Claimants") alleged that Wesley Hayne their registered representative at Hayne, Miller and Swearingen, Inc. (collectively as "Respondents") purchased 30,000 shares of First Team Sports, Inc. for the account of Claimant Suzanne K. Domoracki without authorization.

In their joint Answer filed with the NASD on or about July 13, 1990, Respondents denied the allegations of claimants. Respondents stated that James Domoracki authorized the transaction.- Respondents further stated that James Domoracki was a very knowledgeable investor who had previously invested in many speculative stocks.

RELIEF REQUESTED

Claimants requested an award of compensatory damages in the amount of \$11,250.00, punitive damages and triple damages.

Respondents requested that the Statement of Claim be dismissed.

PROCEDURAL MATTERS

On Wednesday, February 20, 1991 in Minneapolis, Minnesota 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 April 3, 1990 by Claimants James and Suzanne K. Domoracki on August 1, 1990 by Wesley Hayne, individually and on behalf of Respondent Hayne, Miller & Swearingen, Inc.

The parties have agreed that the Award in this matter may be executed in

counterpart copies or that a handwritten, signed Award may be entered. In either case, the parties have agreed to receive conformed copies of the award while the original(s) remain on file with the NASD.

AWARD

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; and

3. Pursuant to Section 43(c) of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the hearing session deposit in the amount of \$280.00 previously deposited with the NASD by the Claimant.

Arbitrators concurring:

Dated:

March 8, 1991

George A. Beck

George A. Beck, Esq.  
Presiding Chair

Angela R. Banga

William J. Rosso  
Industry Arbitrator

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Arbitrators concurring:

Dated:

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George A. Beck, Esq.  
Presiding Chair

3/4/91

Cinela R. Banga  
Angela R. Banga

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William J. Rosso  
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Arbitrators concurring:

Dated:


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George A. Beck, Esq.  
Presiding Chair

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Angela R. Banga

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 3/6/91  
William J. Rosso  
Industry Arbitrator