

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant(s)

Charles Jansky, PR.-Estate Carl Jansky

90-01410

Name of Respondent(s)

Dain Bosworth Incorporated
Easil P. Andrikopoulos

Public/Industry

— PUBLIC _____

— PUBLIC _____

— INDUSTRY _____

CASE SUMMARY

This matter was initiated by a Statement of Claim filed with the National Association of Securities Dealers, Inc. ("NASD") on May 17, 1990.

Claimant alleged that Respondents improperly handled the sale of 93,370 shares of Electronic Industry Holdings, Inc. stock on behalf of the estate. Respondents alleged that neither Dain nor Andrikopoulos are responsible for any loss allegedly sustained by Jansky and that Dain did nothing improper and obtained the best available price for the sale of this stock.

RELIEF REQUESTED

Claimant requested:

1. \$23,842.50, representing the difference between the 1/8 sale price and the 3/8 offer price that Jansky believed would be the minimum sale price of the 93,370 shares of stock,
2. interest to the maximum extent allowed by law,
3. \$23,842.50 representing punitive damages,
4. \$400.00 filing fee refund,

5. refund of \$1,000.00 out-of-pocket costs, and
6. that Respondents bear all costs of the arbitration.

Respondents requested that the arbitrators enter an order:

1. dismissing Jansky's complaint with prejudice,
2. ordering Jansky to pay Respondents all reasonable costs and attorneys' fees in bringing this action, and
3. ordering that Jansky bear all costs of the arbitration.

AWARD

On February 26, 1991 in Salt Lake City, Utah, during a hearing lasting two sessions, the undersigned arbitrator(s) heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant on May 28, 1990, by Marcia L. Hansen on behalf of Dain Bosworth, Inc. on July 9, 1990, and by Respondent Basil Andrikopoulos on June 27, 1990.

After considering the pleadings, the testimony, and the evidence presented at the hearing, the arbitrator(s) has/have decided in full and final resolution of the issues submitted for determination as follows:

1. Each and every claim of Claimant is dismissed.
2. The parties shall each bear their respective costs including attorneys' fees.
3. In accordance with Section [43] of the NASD Code of Arbitration Procedure, the NASD shall retain the \$400.00 filing fee previously deposited by the Claimant as an assessment of forum fees by the arbitrators.

Concurring Arbitrator(s) Signature

B. N. Meldrum
B. N. Meldrum

Date of Decision: 5 - 19 - 91