

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between	:	
	:	
Fred G. & Ruth Scheuer	:	
	:	
Claimants	:	CASE #90-01957
	:	AWARD
vs.	:	
	:	
Thomas F. White & Co., Inc.	:	
	:	
Respondent	:	

CASE SUMMARY

Fred G. and Ruth Scheuer, in a claim filed with the National Association of Securities Dealers, Inc. on July 16, 1990, alleged that Respondent was negligent in replacing lost stock certificates and notifying Claimants of the loss. Claimants further allege the Respondent did not give adequate notice before closing out a short position.

Respondent, Thomas F. White & Co., Inc., maintained that Claimant's account was credited with the proceeds of the stock certificates in question and alleges that the replacement stock sent to the Claimant, therefore, belonged to the Respondent.

RELIEF REQUESTED

Claimants request an award of Six Hundred Twenty-Seven Dollars and Seventy-Four Cents (\$627.74) for losses sustained.

Respondent requests Five Hundred Dollars and No Cents (\$500.00) for legal costs incurred.

AWARD

Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Andrew M. Temin, Esq., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimants on August 13, 1990 and by the Respondent on October 8, 1990, respectively;

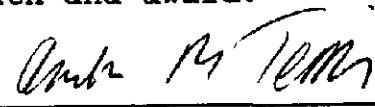
And, that the Arbitrator, having considered the proof of the Parties, has decided and determined in full and final resolution of the issues submitted for determination as follows:

1. The Respondent is liable and shall pay to the Claimants the sum of Nine Hundred Dollars and No Cents (\$900.00) representing actual damages of Six Hundred Twenty-Seven Dollars and Seventy-Four Cents (\$627.74) plus simple interest of 10%.
2. Respondent's request for Five Hundred Dollars and No Cents (\$500.00) in legal costs is denied.
3. A forum fee in the amount of Seventy-Five Dollars and No Cents (\$75.00) is assessed against the Respondent and payable to the National Association of Securities Dealers, Inc.

The Thirty Dollar and No Cents (\$30.00) filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant shall be retained by the NASD, Inc.

AFFIRMATION

I, Andrew M. Temin, Esq., do hereby affirm upon my oath as arbitrator that I am the individual described herein and who executed this instrument, which is my oath and award.



Signature of Arbitrator

DATED: December 2, 1990