

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Nicolas Trivich

Claimant

vs.

Oppenheimer and Company, Inc.

Respondent

Case #90-02090
AWARD

CASE SUMMARY

Nicolas Trivich, in a claim filed with the National Association of Securities Dealers, Inc. on July 30, 1990, alleged inappropriate handling of his account by an untrained, poorly supervised employee at Oppenheimer and Company, Inc. He further alleges a lack of communication from Respondent's employees and negligent lack of response in trying to resolve this dispute.

Respondent, Oppenheimer and Company, Inc. maintained that its conduct was in all regards in complete accordance with Claimant's investment objectives, that communication was maintained and that the account was properly handled.

RELIEF REQUESTED

Claimant requests Nine Thousand Five Hundred Dollars and No Cents (\$9500.00) in damages.

Respondent, represented by Marcos A. Pagan, III, Esq. at Oppenheimer in New York, requests dismissal of the claim in its entirety and costs assessed against Mr. Trivich.

AWARD

Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, William L. Hawes, was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on July 27, 1990 and by the Respondent on January 10, 1991, 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. That the Respondent, Oppenheimer and Company, Inc. is liable and shall pay to the Claimant, Nicolas Trivich, the sum of One Thousand Dollars and No Cents (\$1000.00);

2. Respondent's request for costs is denied;
3. That One Hundred and Fifty Dollar (\$150.00) filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant is assessed against the Respondent and payable by the Respondent to the Claimant.

AFFIRMATION

I, WILLIAM L. HAWES, do by 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: 5/20/91