

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimants

Grand Knitting Mills, Inc.

90-02445

Name of Respondents

Shearson Lehman Hutton, Inc.  
Harold May

REPRESENTATION

For Claimant: Harvard Gilbert, Chairman of Grand Knitting Mills, Inc.  
appeared pro se.

For Respondents: MaryEllen O'Driscoll, Esq., in-house counsel.

CASE INFORMATION

Statement of Claim filed: September 04, 1990.

Claimant's Submission Agreement signed: August 28, 1990.

Joint Statement of Answer filed by Respondents: January 03, 1991.

Respondent's (Shearson) Submission Agreement signed: July 15, 1991.

Respondent's (Harold May) Submission Agreement signed: July 22, 1991.

HEARING INFORMATION

Hearing Date/Session: November 12, 1991/ 1 session.

Hearing Location: Offices of the National Association of Securities Dealers,  
Inc. ("NASD") in New York City, NY.

CASE SUMMARY

Claimant, Grand Knitting Mills ("Claimant"), alleged that Respondent Harold May ("May"), an employee of Respondent Shearson Lehman Hutton, Inc. ("Shearson"), failed to execute the Claimant's sell order for 500 shares of Bolar Pharmaceutical Company.

Shearson and May denied the allegations made against them and contended that the Claimant did not instruct anyone at Shearson to sell the stock, and repeatedly declined to place any sell order despite the Respondents' advise to sell.

RELIEF REQUESTED

Claimant requested actual damages of \$1,250.00. Respondents requested dismissal of all claims made against them, plus costs and attorney's fees.

AWARD

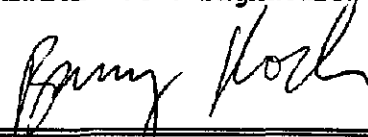
After considering the pleadings, the testimony and the evidence presented at the hearing, the undersigned arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

1. All claims against Respondent Harold May be and hereby are dismissed in their entirety.
2. Respondent Shearson be and hereby is liable and shall pay to the Claimant, Grand Knitting Mills, Inc., the sum of Two Hundred Fifty Dollars And No Cents (\$250.00), plus 6% interest from March 9, 1990 through the satisfaction of this Award.
3. The Claimant, Grand Knitting Mills, Inc., shall pay to Respondent Shearson any monies awarded to them in connection with the Bolar Securities Litigation Settlement. However, this amount shall not exceed Two Hundred Fifty Dollars And No Cents (\$250.00).
4. The parties each shall bear their respective costs, including attorneys' fees.

FORUM FEES

Pursuant to Section 43c of the Code of Arbitration Procedure, the NASD shall retain the \$50.00 previously deposited by the Claimant as the cost of the one (1) hearing session conducted in this matter. In addition, Respondent Shearson shall pay to the Claimant the sum of \$25.00 to represent one-half of the costs of this matter.

Arbitrator's Signature

  
\_\_\_\_\_  
Barry Koch, Chairman (Public Arbitrator)

Date of Decision: November 20, 1991.  
Dated by the NASD: November 26, 1991

State of: New York

County of: New York

ss.:

On the 20th day, of November, 1991, before me personally appeared Barry Koch to me known and known to me to be the person who executed the foregoing instrument, and he acknowledged to me that he executed the same.

  
\_\_\_\_\_  
Notary Public

PEARL H. SUTTIE  
Notary Public, State of New York  
No. 4623131  
Qualified in New York County  
Commission Expires January 31, 1992