

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Mary A. Wyckoff  
vs.

91-00101

Name of Respondents

Shearson Lehman Hutton, Inc.  
Don Rittenhouse

REPRESENTATION

For Claimant: Mary A. Wyckoff, 4269 Misty Lane, Oceanside, California 92056-4713.

For Respondents: Susan K. Pitre, Esq., Keesal, Young & Logan, 310 Golden Shore, Catalina Landing, Long Beach, California 90801-1730.

CASE INFORMATION

Statement of Claim filed: January 8, 1991

Claimant's Submission Agreement signed on: December 14, 1990

Joint Statement of Answer filed by Respondents on: September 20, 1991  
Respondents' Submission Agreements signed on:

Shearson: September 4, 1991  
Rittenhouse: September 19, 1991

HEARING INFORMATION

Prehearing Conference Date/Sessions: February 3, 1992 (1 session)  
March 9, 1992 (1 session)

Hearing Date/Sessions: March 13, 1992 (2 sessions)

Hearing Location: San Diego, California

CASE SUMMARY

Claimant alleged lack of suitability in the purchase of Putnam High Income Government Trust and Alliance High Yield Bond Fund.

Respondents denied each and every substantive allegation in the Statement of Claim.

RELIEF REQUESTED

Claimant requested: Compensatory damages of \$20,000.00.

OTHER ISSUES CONSIDERED & DECIDED

The following motions were made and taken under advisement at the hearing and have been resolved as follows:

1. Respondents' Motion to Dismiss based on the applicable Statute of Limitations, which is denied; and
2. Respondents' Motion to Dismiss Don Rittenhouse as an individual respondent, which is granted.

AWARD

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

1. The arbitrator finds in favor of of respondent Shearson Lehman Hutton, Inc.
2. The parties shall each bear their respective costs including attorneys' fees.

FORUM FEES

Pursuant to Section 43c of the Code of Arbitration Procedure, the following forum fees are assessed: The NASD shall retain the \$300.00 hearing session deposit previously deposited by the claimant. Forum Fees assessed against: Respondent Shearson only in the amount of \$900 calculated as follows: Two prehearing session at \$300.00 per prehearing session, plus two regular session at \$300.00 per hearing session equals \$1,200.00, minus the \$300 hearing deposit already paid by the claimant, equals, \$900.00.

Fees are payable to the National Association of Securities Dealers, Inc.

ARBITRATION PANEL

Name  
James D. Knotter, Esq.

Public/Industry  
Public Arbitrator

Arbitrator's Signature

  
James D. Knotter, Esq.

DATE SERVED: 04/07/92

Date of Decision: 4/1/92