

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant(s)

HORACE HEIDT, JR.; HORACE HEIDT
AGENCY COMPANY, Defined Benefit
Pension Plan; HORACE HEIDT AGENCY
COMPANY, dba MAGNOLIA ESTATE APARTMENTS;
BARBARA JACKSON, Trustee of the Horace Heidt
1980 Insurance Trust FBO Horace Heidt;
BARBARA JACKSON, Trustee of the
Horace Heidt 1980 Insurance Trust FBO
Hildegard Heidt; BARBARA JACKSON &
SUSETTE NEIMAN, Trustee FBO Horace
Heidt, Jr.; BARBARA JACKSON & SUSETTE
NEIMAN, Trustee FBO Hildegard Heidt.

vs.

91-00927

Name of Respondents

SHEARSON LEHMAN HUTTON, INC.;
JOHN MARSHALL; ROBERT JONES.

REPRESENTATION

For Claimants: H Thomas Fehn, Esq., Fields, Fehn & Sherwin, Los Angeles,
California.

For Respondents: Catherine J. Pratt, Esq., Keesal, Young & Logan, Long Beach,
California.

CASE INFORMATION

Statement of Claim filed: March 22, 1991.

Claimants' Submission Agreement signed: March 7, 1991

Joint Statement of Answer filed by Respondents: June 11, 1991

Joint Amended Statement of Answer filed: June 18, 1991

Joint Counterclaim for Indemnity and Contribution: June 10, 1991

Joint Amended Counterclaim for Indemnity and Contribution: June 18, 1991

Respondents' Submission Agreements signed:

Shearson Lehman Hutton, Inc.	- August 5, 1991
John Marshall	- none filed.
Robert Jones	- none filed.

HEARING INFORMATION

Hearing Date/Sessions: January 21, 1992 - 2 sessions.
January 22, 1992 - 2 sessions.

Hearing Location: Los Angeles, California.

CASE SUMMARY

Claimants alleged unsuitable securities transactions, breach of fiduciary duty and negligence with respect to their investments in a real estate limited partnership, common stocks, bonds, bond mutual funds and preferred stocks.

Respondents denied all allegations of wrong-doing and asserted affirmative defenses of assumption of risk, estoppel, waiver, ratification, laches, and accord and satisfaction.

Respondents asserted a counterclaim against Horace Heidt, Jr., as Trustee of the Horace Heidt Agency Defined Benefit Plan, Barbara Jackson and Susette Naiman, as Trustees for the Horace Heidt 1980 Insurance Trust, Horace Heidt 1980 Insurance Trust FBO Hildegard Heidt, Horace Heidt, Jr. Trust and Hildegard Heidt Trust accounts for indemnity and contribution to the extent that these trustees are wholly or partially responsible for any damages incurred.

RELIEF REQUESTED

Claimants requested damages of \$170,000, pre-judgment interest, punitive damages, costs and attorney's fees. The claim for rescission of the \$70,000 Radisson real estate limited partnership investment was withdrawn by Claimants at hearing.

Respondents requested dismissal of all claims, and an award against the trustees for complete or partial indemnity if Respondents are found liable for monetary damages.

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. All claims brought by Claimants, including the claim for punitive damages, are dismissed.

2. The counterclaim is dismissed.
3. The parties shall each bear their respective costs including attorneys' fees.

FORUM FEES

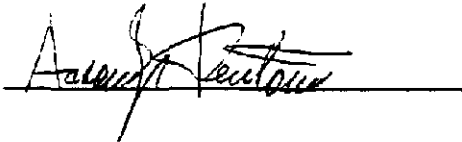
Pursuant to Section 43c of the Code of Arbitration Procedure, parties are each assessed forum fees for 2 sessions. Forum fees for each session are \$1,000.00. Claimants' total assessment of \$2,000 (2 sessions x \$1,000 per session) is to be reduced by the \$750 hearing fee previously deposited (total due: \$1,250). Respondents' total assessment of \$2,000 (2 sessions x \$1,000 per session) is to be reduced by the \$750 hearing fee previously deposited (total due: \$1,250).

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

ARBITRATION PANEL

Public/Industry
Public
Public
Industry

's Signature



DATE SERVED: 2/12/92

Date of Decision: _____