

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

James E. Caouette

vs.

NASD #91-03814

Name of Respondent

Harry R. Burke

REPRESENTATION

For Claimant: James E. Caouette

For Respondents: Harry R. Burke

CASE INFORMATION

Statement of Claim filed: December 3, 1991

Claimant's Submission Agreement signed: November 26, 1991

Statement of Answer filed by Respondent: February 10, 1992

Respondent's Submission Agreement signed: February 7, 1992

HEARING INFORMATION

Hearing Date/ Sessions: June 30, 1992 (one session)

Hear Location: Los Angeles, California

CASE SUMMARY

Claimant alleged errors in the execution price on the sale of common stock.

Respondent denied the allegations.

RELIEF REQUESTED

Claimant requested damages of approximately \$700.00, plus punitive damages and costs of arbitration.

Respondent requested dismissal of all claims.

OTHER ISSUES CONSIDERED & DECIDED

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered. In either case, the parties have agreed to receive conformed copies of the Award while the originals remain on file with the NASD.

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. Respondent is liable for and shall pay to Claimant the sum of \$93.50.
2. The claim for punitive damages is dismissed.

OTHER COSTS

None.

FORUM FEES

Pursuant to Section 43c of the Code of Arbitration Procedure, the Respondent is assessed forum fees for 1 session in the amount of \$100, payable to the National Association of Securities Dealers, Inc. (NASD). Respondent shall also reimburse Claimant \$30 for the filing fee previously paid to the NASD.

Name

Public/Industry

David C. Hirschman

Public Arbitrator


David C. Hirschman

Served 7/28/92

Date of Decision: July 22, 1992