

N.A.S.D. AWARD
NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Mary Thompson

92-00197

Name of Respondents

Shearson Lehman Brothers, Inc.
Lawrence Stauffer

REPRESENTATION

For Claimant: Horace W. Baggot, Esq., a sole practitioner.

For Respondents: Kevin J. O'Brien, Esq. of Coolidge Wall Wolmsley & Lombard.

CASE INFORMATION

Statement of Claim filed: March 9, 1992.

Claimant's Submission Agreement signed on: March 26, 1992.

Joint Statement of Answer filed by Respondents, Shearson Lehman Hutton and Laurence Stauffer on: July 2, 1992.

Respondent, Shearson Lehman Hutton's Submission Agreement signed on: June 15, 1992.

Respondent, Laurence Stauffer's Submission Agreement signed on: August 21, 1992.

HEARING INFORMATION

Hearing Date/Sessions: March 9, 1993 - One Session.

Hearing Location: Marriott Hotel - Cincinnati, Ohio.

CASE SUMMARY

Claimant alleges that Respondent, Laurence Stauffer ("Stauffer") purchased Damson Energy Co. Limited Partnership ("Damson"). Claimant alleges that Stauffer told her that Damson was insured. Claimant alleges that Stauffer did not inform her of the risks or inappropriateness of this investment.

Respondents, Shearson Lehman Hutton and Laurence Stauffer maintain that they informed Claimant of the risks of her investment and they deny telling the Claimant that the Damson fund was insured.

RELIEF REQUESTED

Claimant requested damages in the amount of \$25,000.00 plus interest.

Respondents requested that the Claim be dismissed and that the Respondents recover their costs and reasonable attorney's fees incurred in this action.

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 original remains on file with the NASD.

AWARD

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

1. Respondents, Shearson Lehman Hutton and Laurence Stauffer are hereby jointly and severally liable and shall pay to the Claimant the amount of \$17,757.00.
2. The above award shall bear interest at the rate of 6% from March 9, 1992 until the award is paid.
3. As detailed below, Respondents are directed to re-imburse to the Claimant the sum of \$400.00 for filing fees previously deposited by the Claimant.
4. Each party shall bear their respective costs of this action, including attorney's fees.

FORUM FEES

Pursuant to Section 43c of the Code of Arbitration Procedure, the following Forum Fee(s) are assessed.

\$100.00 Non-refundable filing fee
\$300.00 Hearing Session fees (1 session x \$300.00)

1. Total forum fees in the amount of \$400.00 are hereby assessed jointly and severally against Respondents, shearson Lehman Hutton and Laurence Stauffer. As directed above, Respondents shall re-imburse to the Claimant the amount of \$400.00 Claimant previously deposited with the NASD, Inc.

Arbitrator's Signature
Name

Public Chairperson

Sherman S. Cohen
Sherman S. Cohen, Esq.

Date of Decision: May 20, 1993