

PUBLIC

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between :	
PaineWebber, Inc. :	
Claimant :	CASE #92-00307
	AWARD
vs. :	
JoAnn Desanto Gauvin :	
Deborah Howard :	
Respondents :	

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on January 28, 1992, Claimant PaineWebber, Inc. by and through their in-house counsel Joseph A. Vallo, Esq. alleged that on or about October 17, 1985, Respondents JoAnn Desanto Gauvin and Deborah Howard opened an account with their Portland, Maine office and executed a Joint Account with Right to Survivorship agreement. Claimant further alleged that in August, 1989 they inadvertently credited Respondents' account with 170 shares of L.S. Starrett Company and thereafter requested that Respondents return the securities to Claimant by letters dated November 3, 1989; July 19, 1991 and August 30, 1991. Claimant contended that despite those requests Respondents have refused and neglected to return the extra 170 shares of L.S. Starrett Company as of this date.

Respondents, JoAnn Desanto Gauvin and Deborah Howard who appeared Pro Se, maintained that they deny that they ever received any additional stock certificates from Claimant PaineWebber, Inc. and that they only have their own certificates. Respondent JoAnn Desanto Gauvin further maintained that it took her almost one year to recover her stock certificates when she requested Claimant return the certificates because they failed to send her the dividends. Respondent JoAnn Desanto Gauvin contended that it took the help of the company to retrieve her certificates from Claimant and she is not sending them back to start the hassal all over again. Respondent JoAnn Desanto Gauvin further maintained that Respondents have no certificates that belong to Claimant and have tried to resolve the matter with Claimant's counsel, Mr. Joseph Vallo.

RELIEF REQUESTED

Claimant, PaineWebber, Inc. requested \$3,700.78 in actual damages plus interest from August, 1989, together with costs of this proceeding and other relief.

Respondents JoAnn Desanto Gauvin and Deborah Howard requested the claim be denied.

AWARD

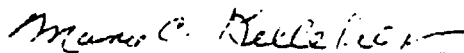
Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Mary C. Kelleher, was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on February 7, 1992 and not by the Respondents as required by Sections 12 & 13 of the NASD Code of Arbitration Procedure.

And, the Arbitrator, having considered the proof of the Parties, has decided and determined in full and final resolution of the issues submitted for determination as follows:

1. The claims of Claimant PaineWebber, Inc. against Respondents JoAnn Desanto Gauvin and Deborah Howard are dismissed.
2. The parties shall bear their respective costs.
3. The \$575.00 filing fee previously deposited with National Association of Securities Dealers, Inc. by the Claimant PaineWebber, Inc. shall be retained by the NASD, Inc.

AFFIRMATION

I, MARY C. KELLEHER, do hereby affirm upon my oath as arbitrator that I am the individual described herein and who executed this instrument, which is my oath and award.



Signature of Arbitrator

Date of Decision: November 13, 1992