

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimants

Robert J. Deeds
Margaret J. Deeds

NASD Arbitration
No. 92-00931

Name of Respondents

Prudential Securities, Inc.
Robert Paul

REPRESENTATION

For Claimants: Robert J. Deeds, Las Vegas, Nevada.

For Respondents: J. Douglas Driggs, Esq., Jolley, Urga, Wirth & Woodbury,
Las Vegas, Nevada.

CASE INFORMATION

Statement of Claim filed: March 16, 1992

Claimants' Submission Agreement signed: March 9, 1992

Joint Statement of Answer filed: August 10, 1992

Respondents' Submission Agreements signed:
Prudential Securities: August 7, 1992
Robert Paul: None submitted

HEARING INFORMATION

Hearing Dates/Sessions: February 23, 1993 - Three Sessions
February 24, 1993 - Two Sessions

Hearing Location: Las Vegas, Nevada

CASE SUMMARY

Claimants alleged negligent and/or fraudulent misrepresentation with respect to investments in the common and preferred shares of First Executive Corporation and limited partnership interests in Prudential Bache Energy Growth VI-P23 and VI-P24.

Respondents denied the allegations, and asserted that Claimants were specifically informed of the risks of their investments, that Claimants made their own investment decisions and authorized all transactions, and that all investments satisfied Claimants' stated investment objectives.

RELIEF REQUESTED

Claimants requested damages of \$171,508.50 on the First Executive shares and \$100,000 on the limited partnerships, plus interest and costs.

Respondents requested dismissal of all claims and an award of attorney's fees and costs of arbitration.

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 arbitrators have decided in full and final resolution of the issues submitted for determination as follows:

1. All claims made with respect to the First Executive Shares are dismissed in their entirety.
2. Respondents are jointly and severally liable for and shall pay to Claimants the sum of \$80,000 exactly on the claims made with respect to the limited partnership investments. Claimants must sign over to Prudential Securities, Inc., all their right, title and interest in their investments in Prudential Bache Energy Income Limited Partnership Series VI-P23 and VI-P24.
3. The claims for interest, costs and attorney's fees are dismissed.

FORUM FEES

Pursuant to Section 43(c) of the Code of Arbitration Procedure, the following forum fees are assessed:

Five hearing sessions @ \$750/session =	\$3750.00
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Claimants' one-half share =	\$1875.00
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Credit for deposit =	<u>- 750.00</u>
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Balance Due	\$1125.00
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Respondents' one-half share (joint and several) = \$1875.00
Balance Due \$1875.00

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

ARBITRATORS

Public/Industry
Public Chairperson
Public Panelist
Industry Panelist

Concurring Arbitrators' Signatures



Ann M. Seward

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Date of Decision: February 26, 1993