

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant(s)

Richard S. Meyer

NASD Arbitration
No. 92-03448

Name of Respondent(s)

Shearson Lehman Brothers, Inc.
David Somrack

REPRESENTATION

For Claimant: Richard S. Meyer, Sepulveda, California

For Respondents: Elizabeth A. Kendrick, Esq., Keesal, Young & Logan, Long Beach, California

CASE INFORMATION

Statement of Claim filed: October 12, 1992

Amended Statement of Claim filed: June 14, 1993

Claimant's Submission Agreement signed: October 5, 1992

Joint Statement of Answer filed by Respondents: December 18, 1992

Respondents' Submission Agreements signed as follows:

Shearson Lehman Brothers, Inc.: December 1, 1992

David Somrack: December 15, 1992

HEARING INFORMATION

Pre-Hearing Conference: None

Hearing Date(s)/Sessions: July 1, 1993 (two sessions)

Hearing Location: Los Angeles, California

CASE SUMMARY

Regarding investments in Somatix and U.S. Bioscience common stock, Claimant alleged that Respondents failed to adequately advise him of the risks associated with buying stock on margin and alleged that Respondents failed to determine if Claimant was financially suited for purchasing stock on margin.

Respondents denied, generally and specifically, each and every allegation contained in the Statement of Claim and asserted affirmative defenses.

RELIEF REQUESTED

At the hearing, Claimant requested \$26,564.00 plus punitive damages in the amount of \$10,000.00.

Respondents requested:

1. Dismissal of Claimant's claims;
2. Costs, including reasonable attorney's fees; and
3. Such other relief as the panel deems proper.

OTHER ISSUES CONSIDERED & DECIDED

Prior to the evidentiary hearing, Edward Kamenir, Esq., Chairperson on behalf of the panel, reviewed and considered the written positions of the parties relative to Claimant's request to amend his Statement of Claim. Mr. Kamenir granted Claimant's request and ruled to admit the additional pleading without prejudice to the parties presenting additional arguments regarding this issue at the evidentiary hearing.

— 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 National Association of Securities Dealers, Inc. (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 by Claimant, including the claim for punitive damages, are dismissed.
2. The parties shall each bear their respective costs including attorney's fees.

FORUM FEES

Pursuant to Section 43c of the Code of Arbitration Procedure, the following forum fees are assessed: The NASD shall retain the \$400.00 hearing session deposit previously deposited by the Claimant. Forum fees are assessed against:

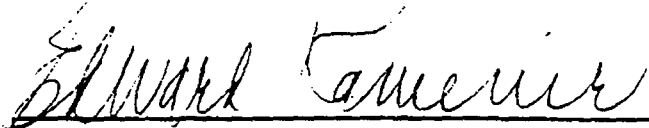
Claimant, Richard S. Meyer in the amount of \$400.00, calculated as follows: Two hearing sessions times \$400.00/session minus the \$400.00 hearing deposit retained by the NASD.

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

ARBITRATORS

<u>Name</u>	<u>Public/Industry</u>
Edward Kamenir, Esq.	Public Arbitrator
Larry Edmonson	Public Arbitrator
John B. Wells	Industry Arbitrator

Concurring Arbitrators' Signatures



Edward Kamenir, Esq.

Larry Edmonson

John B. Wells

Date of Decision: _____

Date Served: 07/26/93