

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of Arbitration Between

Name of Claimants

Tucker Anthony Incorporated
John Hancock Clearing Corp.

vs.

Case # 93-00262

Name of Respondent

Klaus Peter

REPRESENTATION

For Claimants, Tucker Anthony Incorporated and John Hancock Clearing Corp. ("Claimants"), Patrick J. Howley, Esq., in-house counsel.

Respondent, Klaus Peter ("Respondent"), was not represented by counsel.

CASE INFORMATION

Statement of Claim was filed on: January 25, 1993.

Claimant's Submission Agreement was signed on February 18, 1993.

Respondent's Statement of Answer was filed on March 8, 1993.

Respondent's Submission Agreement was signed on March 18, 1993.

HEARING INFORMATION

Hearing Date/Session:

December 14, 1993

- 1 session

Hearing Location: National Association of Securities Dealers, Inc.'s offices located at 260 Franklin Street, Boston, Massachusetts.

CASE SUMMARY

Claimants commenced this arbitration proceeding to recover an unsecured debit of \$30,150.24 in Respondent's account. Claimants allege that Respondent opened an account with Claimants, placed an order to sell 8,500 shares of Media Logic and promised to deliver the stock certificates to Claimants. Claimants also allege that they executed the order between September 11th and 16th, 1993, but Respondent failed to deliver the stock certificates, and as a result, Claimants were forced to cover the sale which resulted in an unsecured debit in Respondent's account. Claimants further allege that demands for payment has been refused by Respondent.

Respondent denies that he placed any order with Claimants and deny liability. Respondent contends that Doug Parish, an employee of Claimants, in order to solicit his business, promised to sell his restricted stock of Media Logic at a lower commission than Respondent's current broker, Smith Barney. Respondent also contends that any such sell order would have been in violation of SEC Rule 144 since he had already authorized Smith Barney to sell the shares.

Respondent further contends that this sell order was supposedly given on August 24, 1992, but was not executed until September 11, 1992 and yet he received no confirmation until September 28, 1992 for the sale of 8,000 not 8,500 shares.

RELIEF REQUESTED

Claimants request an award of \$30,150.29, interest at a rate of ten percent (10%) from September 29, 1992, cost of this arbitration, all reasonable attorney's fees, and any and all further relief which the panel deems just and proper.

Respondent requests that the Statement of Claim be dismissed.

OTHER ISSUES CONSIDERED & DECIDED

The parties have agreed to receive conformed copies of the Award while the originals remain on file with the NASD.

AWARD

1. All claims asserted by Claimants against Respondent are denied.

FORUM FEES

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

Non-refundable Filing Fee:	\$500.00
Hearing Session Fee:	\$600.00 x 1 session = \$600.00
Total Fees Due:	\$1,100.00

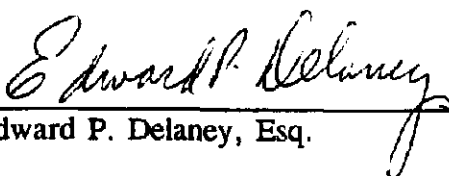
1. Claimants are assessed \$500.00 non-refundable filing fee. Claimants are further assessed \$300.00 in forum fees. Claimants previously paid \$1,100.00 and are entitled to a refund of \$300.00
2. Respondent is assessed \$300.00 in forum fees and shall satisfy this fee by reimbursing Claimants \$300.00.

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

ARBITRATION PANEL

Edward P. Delaney, Esq.	-	Industry Chairperson
Christine Armstrong, Esq.	-	Industry Panelist
Teri W. Anderholm	-	Industry Panelist

Concurring Arbitrator's Signature



Edward P. Delaney, Esq.

Date of Decision January 12, 1994

ARBITRATION PANEL

Edward P. Delaney, Esq.	-	Industry Chairperson
Christine Armstrong, Esq.	-	Industry Panelist
Teri W. Anderholm	-	Industry Panelist

Concurring Arbitrator's Signature

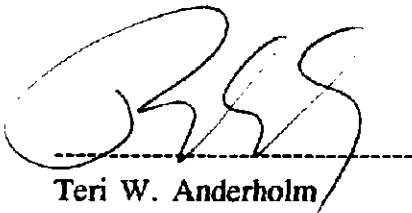
Christine Armstrong, Esq.
Christine Armstrong, Esq.

Date of Decision January 12, 1994

ARBITRATION PANEL

Edward P. Delaney, Esq.	-	Industry Chairperson
Christine Armstrong, Esq.	-	Industry Panelist
Teri W. Anderholm	-	Industry Panelist

Concurring Arbitrator's Signature



Teri W. Anderholm

Date of Decision January 12, 1994