

MODIFIED
N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of Arbitration Between

Name of Claimant

Oppenheimer & Company, Inc.

vs.

Case # 93-00633

Name of Respondents

Brent Harris

REPRESENTATION

For Claimant: Joseph F. Keenan, Esq. of the law firm of Bochat & Keenan, P.C.

For Respondent: Peter Anderson, Esq. of the law firm of Sutherland, Asbill & Brennan.

CASE INFORMATION

Claimant's Submission Agreement signed on December 10, 1992.
Statement of Claim filed on February 13, 1993.

Respondent's Submission Agreement signed on April 8, 1993.
Respondent's Statement of Answer filed on April 7, 1993.

HEARING INFORMATION

Hearing Dates/Sessions: November 28, 1993 - One session

Hearing Location: NASD offices located in Atlanta, GA.

CASE SUMMARY

Claimant alleged that respondent owed Claimant approximately \$6,397.68 for draw allegedly advanced by Claimant. Claimant alleged that Respondent did not repay this draw, although Respondent was obligated to do so.

Respondent denied the allegations and alleged that he did not understand Claimant's draw agreement and that the various actions of Claimant negatively impacted Respondent's business.

RELIEF REQUESTED

Claimant requests an award in the amount of \$6,397.68 plus interest, costs, filing fees and such other relief as the arbitrator deems proper.

Respondent requests that no amount be held to be owing to the Claimant.

AWARD


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

Respondent, Brent Harris, is liable for \$6,397.68 and shall pay Claimant the sum of \$6,397.68 plus interest at the maximum legal rate under Georgia law from January 20, 1994 until date of payment of the award.

The parties shall each bear their respective costs including attorneys' fees.

FORUM FEES

Pursuant to Section 43(c) of the Code of Arbitration Procedure, the NASD shall retain the \$500.00 claim filing fee and \$300.00 hearing session deposit previously paid to the NASD by the Claimant.


Thomas M. Wells, Esq.

Industry Arbitrator

12/15/93

Date of Execution

NASD Date of Decision: February 10, 1994