

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the matter of the Arbitration Between

Name of Claimant(s)

Josephine M. Jadeikin

NASD Arbitration
No. 93-01647

Name of Respondent(s)

Shearson Lehman Brothers, Inc.

REPRESENTATION

For Claimant: Josephine M. Jadeikin, San Anselmo, California

For Respondent: Michael S. Danko, Esq., Brown & Wood, San Francisco, California

CASE INFORMATION

Statement of Claim filed: April 23, 1993

Claimant's Submission Agreement signed: April 13, 1993

Statement of Answer and Motion to Dismiss filed by Respondent: June 16, 1993

Respondent's Submission Agreement signed: June 15, 1993

HEARING INFORMATION

Pre-Hearing Conference Date(s)/Session(s): None

Hearing Date(s)/Session(s): October 21, 1993 (one session)

Hearing Location: San Francisco, California

CASE SUMMARY

Claimant alleged that Respondent mishandled her account by purchasing various bonds and securities after persuading Claimant to sell the Putnam bond funds in her account.

Respondent denied Claimant's allegations of wrongdoing and alleged that any losses sustained by Claimant were the result of

market conditions beyond Respondent's control. Respondent also asserted affirmative defenses.

RELIEF REQUESTED

Claimant requested damages in the amount of \$27,190.88.

Respondent requested dismissal of Claimant's claims.

OTHER ISSUES CONSIDERED AND DECIDED

None.

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:

1. All claims by Claimant are dismissed.
2. The parties shall each bear their respective costs including attorney's fees.

FORUM FEES

Pursuant to Section 43(c) of the Code of Arbitration Procedure, the following forum fees are assessed: The National Association of Securities Dealers, Inc. shall refund the \$300.00 hearing session deposit previously deposited by the Claimant. Forum fees are assessed against:

Respondent, Shearson Lehman Brothers, Inc. in the amount of \$300.00, calculated as follows: One hearing session times \$300.00/session.

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

ARBITRATOR

Name BEVERLY ELAINE NARAYAN Public / Industry
Beverly Elaine Narayan, Esq. Public Arbitrator

Concurring Arbitrator's Signature

Beverly Elaine Narayan, Esq.
Beverly Elaine Narayan, Esq.

DATE SERVED: 11/18/93

Date of Decision: 11/5/93