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N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.
In the matter of the Arbitration Between

Name of Claimants

Lee Dymits

NASD Arbitration
No: 93-01716

Name of Respondent

Pacific Brokerage Services, Inc.

REPRESENTATION

For Claimant: In Pro Se

For Respondent: Stephen P. Bedell, Esq. - Gardner Carton & Douglas - Chicago, Ill.

CASE INFORMATION

Statement of Claim filed: April 29, 1993

Claimant's Submission Agreement signed: April 23, 1993

Answer filed by Respondent: July 20, 1993

Respondent's Submission Agreement signed: July 2, 1993

HEARING INFORMATION

Hearing Dates / Sessions: August 5, 1994 - Two Sessions

Hearing Location: San Francisco, California

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CASE SUMMARY

Claimant, Lee Dymits (Dymits), alleged that Respondent, Pacific Brokerage Services, Inc., allowed Dymits to trade options in his account when they knew or should have known that said investment strategy was unsuitable in light of Dymits' income, net worth and health condition.

Respondent alleged that Dymits was suitable at all times for purchasing options, was a sophisticated investor and had the responsibility to report to any financial status changes to the Respondent.

RELIEF REQUESTED

Claimant seeks to recover losses in the amount of \$61,950.83 plus interest costs, and attorneys' fees.

Respondent seeks dismissal of the claim in its entirety.

OTHER ISSUES CONSIDERED AND DECIDED

James R. Kruger appeared as corporate representative for Respondent. Attorney, Stephen P. Bedell, Esq. appeared by telephone conferencing.

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 original remains 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. Respondent, Pacific Brokerage Services, Inc., is liable and shall pay to Claimant, Lee Dymits, the sum of Twenty Thousand Twenty Four Dollars and Eighty One Cents (\$20,024.81).
2. Claimant's claim for interest is denied.
3. The parties shall each bear their respective costs and fees, including attorneys' fees.

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4. The NASD shall retain all fees and deposits.

FORUM FEES

Pursuant to Section 43(c) of the Code of Arbitration Procedure,

Respondent is assessed the sum of \$1,000 for two hearing sessions at \$500 each.

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

ARBITRATORS

Name	Public / Industry
Robert Gorman	Public
Neil G. Clem	Industry
Martin Karp	Public

Concurring Arbitrators' Signatures

Robert Gorman

Robert Gorman

Neil G. Clem

Martin Karp

Date of Decision _____

Date Served: 09/02/94

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<u>Name</u>	<u>Public / Industry</u>
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Concurring Arbitrators' Signatures

Robert Gorman



Neil G. Clem

Date Served: 09/02/94

Martin Karp

Date of Decision 8/5/94

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Concurring Arbitrators' Signatures

Robert Gorman

Neil G. Clem

Martin Karp

Martin Karp

Date of Decision August 5, 1994

Date Served: 09/02/94