

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Ida B. Woodward

93-01721

Name of Respondents

Shearson Lehman Brothers, Inc. n/k/a
Smith Barney Shearson, Inc.
Ronald L. Smith

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on April 29, 1993, Claimant Ida B. Woodward, who appeared Pro Se, alleged that Respondent Ronald L. Smith misled her into purchasing Balcor VI, a limited partnership, which was not a suitable investment, considering her lack of investment knowledge, and financial situation. The Claimant also alleged that Respondent Smith allowed misleading statements be sent to her without disclosing to her the true value of the investment. The Claimant further alleged that Respondent Smith Barney Shearson, Inc. as a registered broker-dealer with oversight responsibility should have realized, and brought to her attention that this type of investment might not be appropriate considering her cash position and net worth at the time of purchase, and that therefore the Respondents should be held liable for the losses she has suffered.

Respondents Smith Barney Shearson, Inc. and Ronald L. Smith, through in-house counsel Ann Parry, Esq., New York, NY, maintained that they deny each and every allegation submitted by the Claimant, and that the claim is time-barred and therefore should be dismissed. The Respondents further maintained that the Claimant fully authorized each transaction in her account without complaint, and is therefore barred from recovery.

RELIEF REQUESTED

Claimant Ida B. Woodward requested \$8,500.00 in actual damages, plus punitive damages in the amount of \$1,500.00.

Respondents Smith Barney Shearson, Inc. and Ronald L. Smith requested that the claims of the Claimant be dismissed.

AWARD

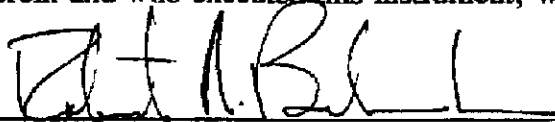
Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Robert A. Babcock, was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on April 16, 1993, by the Respondent Smith Barney Shearson, Inc. on June 17, 1993, but not signed by the Respondent Ronald Smith as required by Sections 12 & 13 of the NASD Code of Arbitration Procedure.

And, the Arbitrator, having considered the proof of the Parties, has decided and determined in full and final resolution of the issues submitted for determination as follows:

1. The claims of the Claimant Ida B. Woodward against Respondents Smith Barney Shearson, Inc. and Ronald L. Smith are dismissed in their entirety.
2. The parties shall bear their respective costs.
3. The \$150.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant shall be retained by the NASD, Inc.

AFFIRMATION

I, **ROBERT A. BABCOCK**, do hereby affirm upon my oath as arbitrator that I am the individual described herein and who executed this instrument, which is my oath and award.

A handwritten signature in dark ink, appearing to read 'R. A. Babcock', is written over a horizontal line.

Signature of Arbitrator

DATE OF DECISION: July 25, 1994