

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

PaineWebber, Inc.

93-01792

Name of Respondent

Thomas M. Reindl

REPRESENTATION

For Claimant PaineWebber, Inc. ("Claimant"): Edward P. Degenhardt, Litigation Counsel at PaineWebber, Inc.

For Respondent Thomas M. Reindl ("Respondent"): appeared pro se.

CASE INFORMATION

Statement of Claim filed: May 3, 1993

Claimant's Submission Agreement signed on: April 29, 1993

Statement of Answer filed by Respondent on: June 11, 1993

Respondent's Submission Agreement signed on: June 9, 1993

HEARING INFORMATION

Hearing Dates/Session: one session

Hearing Location: Columbus Bar Association, Columbus, OH

CASE SUMMARY

Claimant alleged that on August 1, 1992, Respondent's account was credited \$9,021.55 for the redemption of 25,000 Ohio Multifamily Housing bonds. Claimant alleged that on September 1, 1992 the previously mentioned credit was

cancelled and incorrectly reinstated in the amount of \$25,750. Claimant alleged that Respondent withdrew the funds available in his accounts, including those funds credited in error. Claimant alleged that on November 24, 1992 the mistake was corrected and the \$9,021.25 was again credited and the amount of \$25,750 debited. Claimant alleged that as a result there were various margin calls on Respondent's account which were partially met by liquidating securities and that Respondent was left with a debit balance in his account. Claimant alleged that it made demand for the debit balance but that it remains due and owing. Claimant alleged that Respondent has been unjustly enriched.

Respondent denied all allegation of wrongdoing and specifically maintained that Claimant improperly handled his account. Respondent maintained that Claimant mistreated Respondent as a client and treated him "like a criminal." Respondent maintained that Claimant wrongfully sold out his account without permission and that he suffered considerable losses due to Claimant's mistake. Respondent maintained that no one employed by Claimant would explain what was happening in his account and why he was receiving margin calls. Respondent maintained that he did nothing wrong, that Claimant mistreated him and that Claimant should bear responsibility for its bookkeeping errors and for its lack of knowledge. Respondent maintained that Claimant had not noticed its error until Respondent brought it to Claimant's attention.

RELIEF REQUESTED

Claimants requested compensatory damages in the amount of \$8,549.39, plus interest at a rate of 10% per annum from September 1, 1992 until the date of the award, plus reasonable attorneys fees and costs.

Respondents requested that Claimant's claim be dismissed in its entirety.

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. That Respondent is liable and shall pay to the Claimant the sum of \$7,586.93; plus interest from December 1992 to December 1993 in the amount of \$455.21 and interest from January 1994 until the date the award is paid in the amount of \$160.84. Therefore the total amount of damages due from the Respondent is \$8,202.98.

2. That Claimant's requests for attorney's fees is denied.
3. That the parties shall bear their respective costs and expenses, except as specifically indicated herein.

FORUM FEES

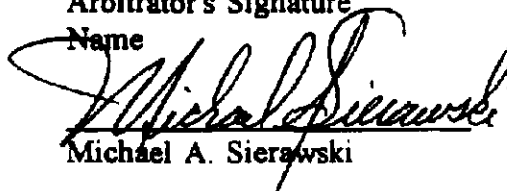
Pursuant to Section 43(c) of the Code of Arbitration Procedure, the following Forum Fees are assessed.

1 sessions X \$300 = \$300 minus Claimant's filing fee of \$75 = \$225 net due to the NASD.

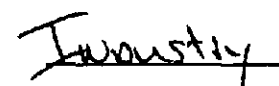
Claimant has previously paid a filing fee of \$75 which Respondent is directed to refund to Claimant. The remaining forum fees of \$225 are assessed against Respondent.

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

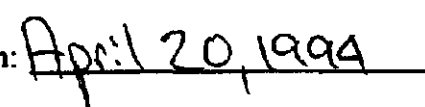
Arbitrator's Signature
Name


Michael A. Sierawski

Public/Industry



Date of Decision:



NASD Date of Decision: April 27, 1994