

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

William Chanoff

93-03091

Name of Respondents

Butcher & Singer, Inc. (n/k/a Wheat First Securities, Inc.)
Stuart M. Hammerle

REPRESENTATION

For Claimant William Chanoff ("Claimant"): Herbert M. Linsenberg and
Anthony J. Boris, Attorneys at Law, Philadelphia, PA.

For Respondents Butcher & Singer, Inc. ("Butcher") and Stuart M. Hammerle
("Hammerle"): Jonathan M. Harris, General Counsel for Wheat First Securities,
Inc.

CASE INFORMATION

Statement of Claim filed on: August 6, 1993.

Claimant's Submission Agreement signed on: July 23, 1993.

Joint Statement of Answer filed by Respondents Butcher and Hammerle
(collectively referred to as "Respondents") on: October 22, 1993.

Butcher's Submission Agreement signed on: October 12, 1993.

Hammerle's Submission Agreement signed on: October 4, 1993.

HEARING INFORMATION

Hearing Date/Sessions: June 13, 1994 - two sessions

Hearing Location: Philadelphia NASD Office, Philadelphia. PA

CASE SUMMARY

Claimant alleged, among other things, that Respondents recommended the purchase of North American Recycling Systems, Inc. ("Stock") on a when issued basis. Claimant alleged that Respondents purchased the Stock for Claimant's account without Claimant's authorization. Claimant alleged that Respondents failed to provide Claimant with any information to provide a reasonable basis for the recommendation or for Claimant to determine whether it was a good investment. Claimant alleged that Respondents wrongfully marked the confirmation tickets unsolicited when all trades had been solicited by Hammerle.

Respondents denied each and every allegation of wrongdoing and maintained that Claimant was a sophisticated investor who exercised complete control over his account. Respondents maintained, among other things, that Claimant and Hammerle were in constant telephone contact. Respondents maintained that Claimant received all confirmations and monthly statements. Respondents maintained that Claimant was keenly aware of his financial affairs.

RELIEF REQUESTED

Claimant requested trading losses in the amount of \$39,674.30, lost income in the amount of \$9,918.58 and punitive damages in the amount of \$100,000.

Respondents requested that Claimant's claim be dismissed in its entirety and that Claimant be assessed all costs, fees and expenses.

OTHER ISSUES CONSIDERED & DECIDED

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 originals remain on file with the NASD.

Respondents made a Motion to Dismiss Claimant's claim at the close of his case and that Motion was denied by the Panel.

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 Respondents Butcher and Hammerle are jointly and severally ~~liable~~ to the Claimant and shall pay to the Claimant the sum of \$5,000; inclusive of interest.
2. All other claims, including Claimant's claim for punitive damages are denied in their entirety.
3. That the parties shall bear their respective costs, including attorneys' fees, except for as specifically addressed herein.

FORUM FEES

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

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2 sessions X \$750 = \$1,500

Forum Fees Assessed Against: Claimant and Respondents equally.

Claimant is assessed forum fees in the amount of \$750; however, Claimant is entitled to offset this amount with his hearing session deposit of \$750 previously filed so that no more monies are due from the Claimant.

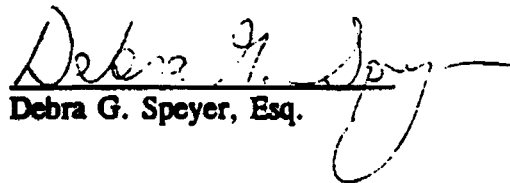
Respondents are jointly and severally assessed forum fees in the amount of \$750.

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

Concurring Arbitrator's Signature

Name

Public/Industry


Debra G. Speyer, Esq.


Public Arbitrator

NASD DATE OF DECISION: June 29, 1994

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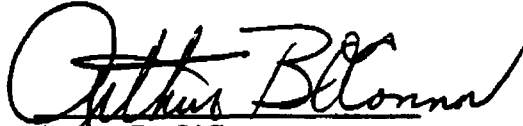
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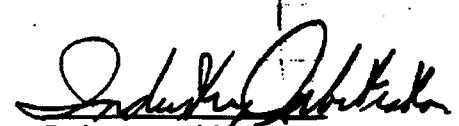
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Concurring Arbitrator's Signature

Name

Public/Industry


Arthur B. O'Connor


Industry Arbitrator

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Concurring Arbitrator's Signature

Name

Public/Industry



Barbara A. Ash, Esq.
Chairperson

Public Arbitrator

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