

N.A.S.D. STIPULATED AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

PaineWebber, Inc.

vs.

93-03288

Name of Respondent

James P. Maloney

WHEREAS, Claimant PaineWebber Incorporated ("PaineWebber") and Respondent James P. Maloney ("Maloney") entered into a promissory note (No. 2645 dated April 16, 1990 (the "Note"), whereby Maloney promised to pay certain sums of money to PaineWebber if he left PaineWebber's employ.

WHEREAS, PaineWebber is owed contribution from Maloney for the settlement of customer claims of Martin and Lisa Earle (Account Number VP-48874) and S. Byrne Boyle (Account Number VP-48734) amounting to \$32,147.50 paid by PaineWebber to these aforementioned Clients.

WHEREAS, Maloney was discharged from PaineWebber's employ on April 28, 1993 thus triggering his obligations under the Note.

WHEREAS, Maloney has not paid the sums due and owing under the Note and the customer settlements.

WHEREAS, in August 1993, Claimant PaineWebber filed a Statement of Claim with the National Association of Securities Dealers, Inc. seeking an entry of an award against the Respondent James P. Maloney, in the amount of \$59,474.08 plus interest, costs and attorneys fees as called for in the Note.


WHEREAS, Maloney has failed to file a Statement of Answer to the Statement of Claim.

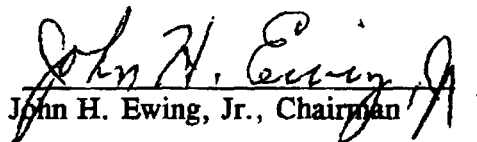
WHEREAS, both PaineWebber and Maloney have executed Uniform Submission Agreements submitting the matter in controversy to arbitration before this tribunal.

WHEREAS, Respondent Maloney has agreed to the entry of a stipulated arbitration award against him in the amount called for in the Statement of Claim.

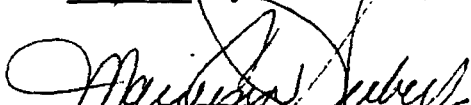
NOW, THEREFORE, IT IS HEREBY ORDERED ADJUDGED AND DECREED that Claimant PaineWebber be awarded the sum of \$59,474.08 (Fifty Nine Thousand, Four Hundred Seventy Four Dollars, and Eight Cents) plus interest, arbitration costs and attorneys fees at 10% of the claim. (Attached hereto is a schedule requesting the interest owed on the outstanding note, \$234.68 interest on the unpaid taxes due and \$1,353.51 interest on the unpaid principal amount for a total of \$1,588.19 to be added to the original principal owed.)


Sworn to before me this
14 day of November, 1994


Notary Public
Notarial Seal
Mary Ann Siebert, Notary Public
Pittsburgh, Allegheny County
My Commission Expires Oct. 20, 1998
Member, Pennsylvania Association of Notaries

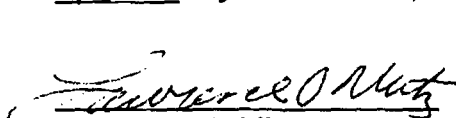

John H. Ewing, Jr., Chairman

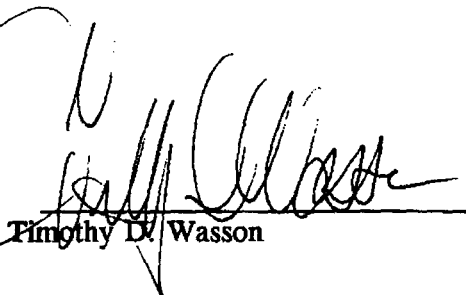
Sworn to Before me this
14 day of November, 1994


Notary Public
Notarial Seal
Mary Ann Siebert, Notary Public
Pittsburgh, Allegheny County
My Commission Expires Oct. 20, 1998
Member, Pennsylvania Association of Notaries


Williard J. Tillotson, Jr., Esq.

Sworn to before me this
16th day of November, 1994


Notary Public
Notarial Seal
Lawrence O. Mutz, Notary Public
Castle Shannon Boro, Allegheny County
My Commission Expires Oct. 26, 1998
Member, Pennsylvania Association of Notaries


Timothy D. Wasson

NASD Date of Decision: November 28, 1994

P.W. vs. JAMES P. MALONEY
ACA REIMBURSEMENT + COMPOUNDED INTEREST
(UNPAID PRINCIPAL PORTION OF LOAN)

promissory note #2645

ORIGINAL LOAN AMOUNT \$60,890.00
LESS: FORGIVEN NOTE(\$) \$36,534.00
UNPAID AMOUNT DUE: \$24,356.00
termination date(4/28/93)

| PERIOD FROM TO | | PRINCIPAL AMOUNT (COMPOUNDED | BROKER CALL = 5% (AVG MONTHLY FOR MONTH) INTEREST | |
|------------------------------------|-----------|------------------------------------|--|----------|
| ----- | | | | |
| 28-APR-93 | 30-APR-93 | \$24,356.00 | 7.250% | \$ 9.68 |
| 01-MAY-93 | 31-MAY-93 | \$24,365.68 | 7.250% | \$145.19 |
| 01-JUN-93 | 30-JUN-93 | \$24,510.87 | 7.375% | \$143.62 |
| 01-JUL-93 | 31-JUL-93 | \$24,654.49 | 7.375% | \$149.45 |
| 01-AUG-93 | 31-AUG-93 | \$24,803.94 | 7.375% | \$150.35 |
| 01-SEP-93 | 30-SEP-93 | \$24,954.29 | 7.375% | \$146.22 |
| 01-OCT-93 | 31-OCT-93 | \$25,100.51 | 7.375% | \$152.15 |
| 01-NOV-93 | 30-NOV-93 | \$25,252.66 | 7.375% | \$147.97 |
| 01-DEC-93 | 31-DEC-93 | \$25,400.63 | 7.375% | \$153.97 |
| 01-JAN-94 | 31-JAN-94 | \$25,554.60 | 7.375% | \$154.90 |
| 01-FEB-94 | 28-FEB-94 | \$25,709.51 | 7.438% | \$141.46 |
| 01-MAR-94 | 31-MAR-94 | \$25,850.96 | 7.706% | \$163.73 |
| 01-APR-94 | 30-APR-94 | \$26,014.69 | 7.950% | \$164.32 |
| 01-MAY-94 | 31-MAY-94 | \$26,179.01 | 8.286% | \$178.29 |
| 01-JUN-94 | 30-JUN-94 | \$26,357.30 | 8.625% | \$180.62 |
| 01-JUL-94 | 31-JUL-94 | \$26,537.92 | 8.625% | \$188.13 |
| 01-AUG-94 | 12-AUG-94 | \$26,726.05 | 8.625% | \$ 69.47 |

TOTAL ACCRUED INTEREST (compounded) **\$ 1,353.51**
UNPAID PRINCIPAL AMOUNT(4/28/93) **\$24,356.00**

TOTAL DUE AS OF 12-AUG-94 **\$25,709.51**

NOTE: AS OF DECEMBER 1992 THE BROKER CALL RATE IS NOW
THE PW BASE LOAN RATE

P.W. vs. JAMES P. MALONEY
ACA REIMBURSEMENT + COMPOUNDED INTEREST
(UNPAID WITHHOLDING TAXES ON LOAN)
promissory note #2645

OUTSTANDING TAXES DUE: \$2,970.58
termination date(4/28/93)

| PERIOD FROM TO | | PRINCIPAL AMOUNT (COMPOUNDED | BROKER CALL = 5% (AVG MONTHLY FOR MONTH) INTEREST | |
|-------------------|-----------|------------------------------------|--|---------|
| 28-APR-93 | 30-APR-93 | \$2,970.58 | 10.250% | \$ 1.67 |
| 01-MAY-93 | 31-MAY-93 | \$2,972.25 | 10.250% | \$25.04 |
| 01-JUN-93 | 30-JUN-93 | \$2,997.29 | 10.375% | \$24.71 |
| 01-JUL-93 | 31-JUL-93 | \$3,022.00 | 10.375% | \$25.77 |
| 01-AUG-93 | 31-AUG-93 | \$3,047.77 | 10.375% | \$25.99 |
| 01-SEP-93 | 30-SEP-93 | \$3,073.75 | 10.375% | \$25.34 |
| 01-OCT-93 | 31-OCT-93 | \$3,099.09 | 10.375% | \$26.43 |
| 01-NOV-93 | 30-NOV-93 | \$3,125.52 | 10.375% | \$25.76 |
| 01-DEC-93 | 31-DEC-93 | \$3,151.28 | 10.375% | \$26.87 |
| 01-JAN-94 | 31-JAN-94 | \$3,178.16 | 10.375% | \$27.10 |
| 01-FEB-94 | 28-FEB-94 | \$3,205.26 | 10.438% | \$24.75 |
| 01-MAR-94 | 31-MAR-94 | \$3,230.01 | 10.706% | \$28.42 |
| 01-APR-94 | 30-APR-94 | \$3,258.43 | 10.950% | \$28.35 |
| 01-MAY-94 | 31-MAY-94 | \$3,286.78 | 11.829% | \$31.95 |
| 01-JUN-94 | 30-JUN-94 | \$3,318.73 | 11.863% | \$31.28 |
| 01-JUL-94 | 31-JUL-94 | \$3,350.01 | 11.863% | \$32.66 |
| 01-AUG-94 | 12-AUG-94 | \$3,382.67 | 11.863% | \$12.09 |

| | |
|--|-------------------|
| TOTAL ACCRUED INTEREST (compounded) | \$234.68 |
| UNPAID TAXES DUE(4/28/93) | \$2,970.58 |
| TOTAL DUE AS OF 12-AUG-94 | \$3,205.26 |

**NOTE: AS OF DECEMBER 1992 THE BROKER CALL RATE IS NOW
THE PW BASE LOAN RATE**