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N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the matter of the Arbitration Between

Name of Claimant

Margery F. Binch

NASD Arbitration
No. 93-05079

Name of Respondents

Gruntal & Co., Inc.
Ronald Shoen

REPRESENTATION

For Claimant: Reed H. Bement, Esq. - San Francisco, California

For Respondents: Donald N. Cohen, Esq. - Gruntal & Co., Inc. - New York, N. Y.

CASE INFORMATION

Statement of Claim filed: December 8, 1993

Claimant's Submission Agreement signed: November 29, 1994

Joint Statement of Answer filed by Respondents: February 22, 1994

HEARING INFORMATION

Hearing Dates / Sessions: October 4, 1994 - Two Sessions

Hearing Location: San Francisco, California

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CASE SUMMARY

Claimant, Margery F. Binch (Binch), alleged that Respondent, Ronald Shoen (Shoen), while employed by Respondent, Gruntal & Co., Inc. (Gruntal), made excessive, unauthorized trades in Binch's account. Binch also alleged that the stocks purchased for her IRA account were unsuitable in light of Binch's investment objectives of preservation of capital and growth.

Respondents alleged that Binch was aware of all the activity in her account and was sent confirmations for each trade and monthly statements which kept her apprised of the purchase and sales. Respondents also alleged that Binch ratified each transaction and did not raise any objections to the activity.

RELIEF REQUESTED

Claimant seeks to recover damages of \$17,375.00 plus an amount to be determined representing a reasonable income and growth of the funds invested, punitive damages of \$25,000.00 plus attorney's fees.

Respondents seek dismissal of the claim in its entirety.

OTHER ISSUES CONSIDERED AND 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 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. Respondents, Gruntal & Co., Inc. and Ronald Shoen, are jointly and severally liable and shall pay to Claimant, Margery F. Binch, the sum of Seventeen Thousand, Three Hundred Seventy Five Dollars and No Cents (\$17,375.00).
2. Claimant's claim for punitive damages is dismissed.
3. The parties shall each bear their respective costs and fees, including attorney's fees.

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FORUM FEES

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

1. Gruntal & Co., Inc., is assessed the sum of \$800.00 representing fees for two hearing sessions at \$400.00 each.

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

ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
Robert L. Liu	Public
Richard B. Bullock	Industry
Laurel Littman Gothelf	Public

Concurring Arbitrators' Signatures

Robert L. Liu

Richard B. Bullock

Laurel Littman Gothelf

Date of Decision:

Oct 26, 1994

Date Served: 11/07/94

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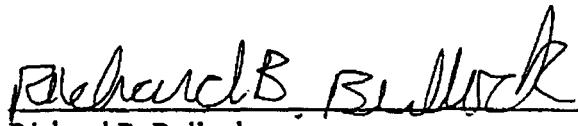
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Date of Decision: Oct. 4, 1994

Date Served: 11/07/94