

**NASD REGULATION, INC.
OFFICE OF DISPUTE RESOLUTION
ARBITRATION AWARD**

NASD REGULATION, INC. OFFICE OF DISPUTE RESOLUTION

In the matter of the Arbitration Between

Name of Claimant

Howard Siegel

v.

NASD Regulation, Inc.
Office of Dispute Resolution
Arbitration No. 94-01790

Name of Respondents

Prudential Insurance Company of America and
James Dinges

REPRESENTATION

For Claimant:

Alan R. Ball
Law Office of Ball, Pyfrom,
Yorke & Associates
Ventura, California

For Respondents:

John S. Battenfield
Morgan, Lewis & Bockius
Los Angeles, California

CASE INFORMATION

Statement of Claim filed:

May 2, 1994

Claimant's Submission Agreement signed:

March 30, 1994

Joint Statement of Answer filed by Respondent:

Sept 16, 1994

Respondent Prudential Insurance Company of America
Submission Agreement signed:

August 15, 1994

September 16, 1994

Pre-Hearing Conference Date / Session:
October 11, 1995 (1 Session)
October 18, 1995 (1 Session)

Hearing Dates / Sessions:
May 29, 1996 (2 Sessions)
May 30, 1996 (2 Sessions)
May 31, 1996 (2 Sessions)
August 29, 1996 (2 Sessions)
August 30, 1996 (2 Sessions)
September 3, 1996 (2 Sessions)
September 4, 1996 (2 Sessions)
September 5, 1996 (2 Sessions)
January 6, 1997 (2 Sessions)
January 8, 1997 (2 Sessions)
January 9, 1997 (2 Sessions)
January 10, 1997 (2 Sessions)
January 21, 1997 (2 Sessions)
January 22, 1997 (2 Sessions)
January 23, 1997 (2 Sessions)
January 24, 1997 (2 Sessions)
March 25, 1997 (2 Sessions)
March 26, 1997 (2 Sessions)
March 27, 1997 (2 Sessions)
March 31, 1997 (2 Sessions)

CASE SUMMARY

Respondents deny all allegations of wrongdoing set forth in the Statement of Claim. Respondents claimed that the termination was based on claimant's financial improprieties.

RELIEF REQUESTED

Claimant requested \$500,000 in general damages, and \$1,840,000.00 in punitive damages.

Respondents requested that the Claim be dismissed in its entirety plus costs and expenses.

OTHER ISSUES CONSIDERED AND DECIDED

The parties have agreed that the Award in this matter may be executed in either 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 Regulation, Inc. Office of Dispute Resolution.

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) The Respondents Prudential Insurance Company of America and James Dinges are jointly and severally liable to and shall pay Claimant, Howard Siegel, \$113,016.00 in actual damages.
- 2) The Respondents Prudential Insurance Company of America and James Dinges are jointly and severally liable to and shall pay Claimant, Howard Siegel, \$225,000.00 in general damages
- 3) Respondent Prudential Insurance Company of America is liable to and shall pay the Claimant, Howard Siegel, \$1,000,000.00 in punitive damages. The Arbitration Panel found that Prudential Insurance Company of America acted with fraud, oppression, and malice in wrongfully terminating Howard Siegel for reporting possible wrongdoing by Prudential employees.

FORUM FEES

Pursuant to Rule 10332(c) of the Code of Arbitration Procedure, the following forum fees are assessed against the Respondent Prudential Insurance Company of America:

2 Pre-Hearing Sessions @ \$300.00/Session	= \$600.00
40 Hearing Sessions @ \$1,000.00/Session	= \$40,000.00
Total Fees Assessed Against Respondent Prudential Insurance Company of America:	= \$40,600.00

Respondent' Prudential Insurance Company of America Balance Due: = \$40,600.00


Claimant's Hearing Session Deposit of \$1,000.00 shall be refunded by the NASD Regulation, Inc.


Fees are payable to NASD Regulation, Inc.

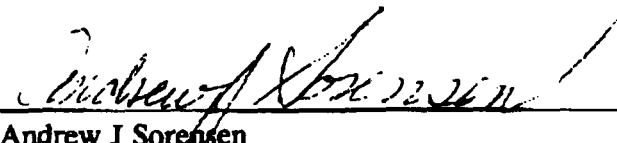
ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
J. Jean Elliot, Esq.	Public Arbitrator
Larry Edmonson	Public Arbitrator
Andrew J. Sorensen	Industry Arbitrator

Concurring Arbitrators' Signatures


J. Jean Elliot, Esq.


Larry Edmonson


Andrew J Sorensen

Date of Decision: 5/12/97

Date of Service: 5/13/97