

AMERICAN STOCK EXCHANGE  
IN THE MATTER OF ARBITRATION BETWEEN

J. BURNER CREW V. KEMPER SECURITIES GROUP, INC.

CASE:

Case Id # 94-07

DATE FILED: 4/26/93 FIRST SCHEDULED 10/25 & 26/93 DECIDED 10/17/94

CASE SUMMARY: Employee vs. employer dispute. Claimant alleges race discrimination in violation of Title VII, malicious prosecution, defamation, and tortious interference by brokerage firm. Respondent denies all claims and counterclaims against Claimant for conversion, contribution and indemnity.

CLAIMANT'S INITIALS JBK RESPONDENT'S JK THIRD PARTY'S INITIALS

SESSIONS: 1-10

C. CLAIM AND AWARD DATA:

CLAIM	<u>\$3,020,000.00</u>	CC/3rd PTY	<u>\$170,000.00</u>	AWARD	<u>\$160,000.00</u>
PUNITIVE REQUESTED		PUNITIVE		PUNITIVE	<u>\$100,000.00</u>
ATTY FEES REQUESTED		ATTY FEES REQUESTED		ATTY FEES	<u>Denied</u>
DEPOSIT	<u>\$1,500.00</u>	DEPOSIT	<u>\$1,250.00</u>	DEPOSIT	<u>\$2,750.00</u>
COSTS		COSTS		COSTS	<u>\$12,250.00</u>

DECISION: The undersigned arbitrators have decided and determined in full and final settlement of all claims between the parties that:\*

The Claimant's claim of discrimination against Respondent Kemper Securities Group, Inc. is granted in the amount of \$160,000.

The Claimant's claim for punitive damages against the Respondent is granted in the amount of \$100,000.

The Claimant's claim of malicious prosecution is denied.

The Claimant's claim of defamation of character is denied.

The Claimant's claim of tortious interference by a brokerage firm is denied.

All other claims of Claimant are denied.

The Respondent's counterclaim is denied.

All requests for attorney fees are denied.

The costs of the hearings, \$15,000, are to be divided as follows. Claimant who has already paid \$1,500 shall remit \$6,000 directly to the American Stock Exchange.

The Respondent who has already paid \$1,250 shall remit \$6,250 directly to the American Stock Exchange.

ATTORNEY: MARK COHN, ESQ./MCCARTHY, LEBIT, CRYSTAL & HAIMAN/CLAIMANT'S COUNSEL,

CLEVELAND, OHIO.

SHELLY GOERING, ESQ./ARTER & HAUDEN/RESPONDENT'S COUNSEL/  
CLEVELAND, OHIO.

ARBITRATORS \*\*

ELMER G. COWAN, ESQ., CHAIRMAN

JAY S. FERRIER

PROFESSOR ROBERT DRAKE

CITY CLEVELAND STATE OHIO

DATE: 10/17/94

\* Additional pages may be attached.  
\*\* (Dissents)

Elmer G. Cowan  
SIGNATURE

Jay S. Ferrer  
SIGNATURE

Robert Z. Drake  
SIGNATURE