

N.A.S.D.R. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS REGULATION, INC.

In the matter of the Arbitration Between

NASDR Arbitration
No.95-03000

Name of Claimant

Mike Farrage
Cynthia Farrage

vs.

Name of Respondent

Josephthal Lyon & Ross, Inc
Anthony Duque

REPRESENTATION

For Claimant: Robert C. Chandler, Esq., Chandler & Associates, Riverside, California

For Respondent Josephthal Lyon & Ross: Robert E. Murphy, Esq., Josephthal Lyon & Ross,
New York, New York.

For Respondent Anthony Duque: No appearance.

CASE INFORMATION

Statement of Claim filed: June 19, 1995

Claimants' Submission Agreement signed as follows:

Mike Farrage: May 18, 1995

Cynthia Farrage: November 14, 1995

Statement of Answer filed by Josephthal Lyon & Ross: August 17, 1995

Submission Agreement signed on behalf of Josephthal Lyon & Ross: August 17, 1995

Respondent Anthony Duque did not file an answer or a submission agreement.

HEARING INFORMATION

The evidentiary hearing was held in San Diego, California on October 23, 1996, and lasted 2 sessions.

CASE SUMMARY

Claimants alleged failure to execute sell orders and unauthorized trading with respect to the common stock of FBAYF, MEDX and SAHI and an unnamed option.

Respondent denied the allegations of the claim, and asserted that sell orders had been filled.

RELIEF REQUESTED

Claimant requested damages of more than \$20,000.00.

Respondent requested dismissal of the claim.

OTHER ISSUES CONSIDERED AND DECIDED

Service on Respondent Duque was not effected, and this award does not pertain to him.

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. Respondent Josephthal Lyon & Ross, Inc. is liable for and shall pay to Claimants Michael and Cynthia Farrage the sum of \$14,700.00 (with respect to their joint account #690-06172).
2. Respondent Josephthal Lyon & Ross, Inc. is liable for and shall pay to the Claimant Michael Farrage the sum of \$479.95 (with respect to the custodial account for Natalie Farrage #690-06077).
3. All other claims are dismissed.
4. The parties shall bear their respective costs, including attorney's fees.

FORUM FEES

Pursuant to Section 43(c) of the Code of Arbitration Procedure, the NASDR shall retain the \$100 non-refundable filing fee paid by Claimants.

Forum fees are to be shared by the parties as follows:

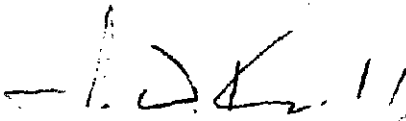
Total fees:

2 sessions @ \$300/session	\$600.00
Claimants' one-half share	\$300.00
Credit for Deposit	<u>(\$300.00)</u>
Balance due:	\$ 0.00

Respondent Josephthal Lyon & Ross'	
one-half share	\$300.00
Balance due:	<u>\$300.00</u>

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

Date signed:



James Knotter
Public Arbitrator
Presiding Chairperson

12/8/96

Date Served: 12/13/96