

N.A.S.D. AWARD**NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.**

In the matter of the Arbitration Between

Name of Claimant

Michael C. Laugen

NASD Arbitration
No. 95-03968**Name of Respondents**

Stratton Oakmont, Inc. and Samuel R. Weber

REPRESENTATIONFor Claimant: Robert A. Uhl, Esq.
Aidikoff & Kesluk
Los Angeles, CaliforniaFor Respondents: Michael P. Gilmore
Wexler & Burkhart
Mitchel Field, New York**CASE INFORMATION**

Statement of Claim filed: August 16, 1995

Claimant's Submission Agreement signed: August 14, 1995

Joint Statement of Answer filed by Respondents: October 3, 1995

Respondent Samuel R. Weber's Submission Agreement signed: August 29, 1995

Respondent Stratton Oakmont, Inc.'s Submission Agreement signed: September 12, 1995

HEARING INFORMATION

Pre-Hearing Conference Date / Session: March 12, 1996 (1 session)

Hearing Dates / Sessions: April 2, 1996 (3 sessions)
April 3, 1996 (2 sessions)

Hearing Location: Los Angeles, California

CASE SUMMARY

Claimant alleged that the investments solicited and recommended by Respondents were unsuitable for him due to his low level of sophistication and net worth. In addition, Claimant alleged that Respondents breached their fiduciary duty and committed fraud by making misrepresentations and omissions of material facts regarding the securities sold to Claimant. Finally, Claimant alleged that Respondent Stratton Oakmont, Inc. failed to properly supervise Respondent Weber and that the actions of Respondents violated Federal Securities laws, the NASD Rules of Fair Practice and the NYSE rules.

Respondents denied each of the Claimant's allegations.

RELIEF REQUESTED

Claimant sought general and compensatory damages in an amount according to proof, but not less than \$22,779.00, the lost opportunity cost of what \$23,161.00 would have earned if invested properly from 11/3/94 to the date of any arbitration award and interest on all sums recovered at the legal rate from 11/3/94 up to the date of any arbitration award. Claimant also sought costs, punitive damages and attorney's fees.

Respondents requested dismissal of all claims against them as well as costs and reasonable attorney's fees.

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.

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. Claimant is awarded the sum of \$21,227.00 in compensatory damages (which includes lost opportunity) against Respondents jointly and severally.
2. No punitive damages or attorneys' fees are awarded.
3. Respondents are given thirty (30) days from receipt of notice to pay or interest accrues at 10% per annum.
4. Forum fees are to be paid jointly and severally by Respondents.

FORUM FEES

Pursuant to Section 43(c) of the Code of Arbitration Procedure, the following forum fees are assessed:

One Pre-Hearing Conference @ \$300.00 / Session	=	\$300.00
Five Hearing Sessions @ \$400.00 / Session	=	\$2,000.00
Total Forum Fees Assessed	=	\$2,300.00

Respondents Stratton Oakmont, Inc. and Samuel R. Weber are assessed jointly and severally fees for one Pre-Hearing and five Hearing Sessions as follows:


Forum Fee Total	=	\$2,300.00
Respondents Stratton Oakmont, Inc. and Samuel R. Weber's Balance Due	=	\$2,300.00

Claimant's Hearing Session Deposit of \$400.00 shall be refunded to the Claimant by the NASD.

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

ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
Edward Kamenir, Esq.	Public Arbitrator
John P. McShane	Industry Arbitrator
David J. Anderson	Public Arbitrator

Concurring Arbitrators' Signatures

Edward Kamenir, Esq.

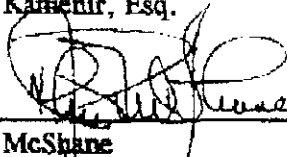
John P. McShane

David J. Anderson

Date of Decision: _____

ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
Edward Kamenir, Esq.	Public Arbitrator
John P. McShane	Industry Arbitrator
David J. Anderson	Public Arbitrator

Concurring Arbitrators' SignaturesEdward Kamenir, Esq.John P. McShaneDavid J. Anderson

Date of Decision: _____

