

AWARD

**NASD, Regulation, Inc.,
Office of Dispute Resolution**

In the matter of the Arbitration Between

NASD Regulation, Inc.
No. 95-04634

Claimant

Smith Barney, Inc.

vs.

Respondent

Louise Schneider

REPRESENTATION OF PARTIES

For Claimant: Debra Ellers, Esq., Holland & Hart, LLP, Boise, Idaho

For Respondent: Louise Schneider, in pro per, Boise, Idaho

CASE INFORMATION

Statement of Claim filed: September 29, 1995

Claimant's Submission Agreement signed: July 18, 1995

Respondent did not file an answer or a submission agreement, but appeared at all hearings and submitted thereby to NASD jurisdiction.

HEARING INFORMATION

The evidentiary hearing was held in Salt Lake City, Utah, as follows:

October 24, 1996	-	2 sessions
October 25, 1996	-	2 sessions

The remaining evidentiary hearing sessions were conducted by telephone conference call:

October 31, 1996	-	1 session
May 14, 1997	-	1 session

CASE SUMMARY

Claimant alleged Respondent owed it certain sums as indemnity for sums Claimant paid to settle a customer complaint.

Respondent did not file written pleadings but in oral statements denied the allegations of the claim, denied any wrongdoing in connection with the underlying settlement for which Claimant claimed indemnity, and asserted no sums were owed to Claimant.

RELIEF REQUESTED

Claimant requested damages of \$62,408 plus interest, costs of arbitration and attorneys' fees.

Respondent verbally requested dismissal of all claims, an award of costs of Arbitration, and an expungement of this matter from her permanent NASD record (CRD).

OTHER ISSUES CONSIDERED AND DECIDED

The parties have agreed that the Award in this matter may be executed in counterpart copies, and have agreed to receive conformed copies of the Award while the originals remain on file with the NASDR.

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. All claims asserted by Claimant are dismissed in their entirety.
2. Respondent's request for expungement of this matter from her permanent NASD record (CRD) is denied.

3. The parties shall each bear their respective costs, including attorneys' fees.

FORUM FEES

Pursuant to Section 10205 of the Code of Arbitration Procedure, the NASDR shall retain Claimant's \$500 non-refundable filing fee.

Forum fees are to be split between the parties as follows:

Total fees:

6 hearing sessions @ \$600.00/session = \$3600

Claimant's one-half share	\$1800
---------------------------	--------

Credit for deposit	<u>600</u>
--------------------	------------

Balance due	\$1200
-------------	--------

=====

Respondent's one-half share	\$1800
-----------------------------	--------

=====

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

Concurring Arbitrators Signatures:

Date signed:

Frank Weaver

5/23/97

Edward G. Schrandt

George R. Condie