

AWARD

NASD REGULATION, INC., OFFICE OF DISPUTE RESOLUTION

In the matter of the Arbitration Between

Name of Claimant

Roland R. Ghazal

v.

Arbitration No.
96-02286

Name of Respondent

Prudential Insurance Company of America

REPRESENTATION

For Claimants:

Michael J. Collins, Esq.
Collins & Manes
Irvine, California

For Respondents:

Kenwood C. Youmans, Esq.
Seyfarth, Shaw, Fairweather & Geraldson
Los Angeles, California

CASE INFORMATION

Statement of Claim filed	May 24, 1996
Claimant's Submission Agreement signed:	May 21, 1996
Statement of Answer filed by Respondent:	August 9, 1996
Respondent's Submission Agreement signed:	August 9, 1996

HEARING INFORMATION

Pre-Hearing Conference/Session: January 8, 1997 (1 session)

Hearing Dates/Sessions: July 7, 1997 (2 sessions)
July 8, 1997 (2 sessions)
July 9, 1997 (2 sessions)
October 17, 1997 (2 sessions)
October 18, 1997 (2 sessions)

Hearing Location: Los Angeles, California

CASE SUMMARY

Claimant alleged Respondent committed violations of Title VII of the Civil Rights Acts of 1964 and 1991, 42 U.S.C. § 2000(f) and that Respondent committed retaliatory acts against Claimant. Specifically, Claimant alleged Respondent intentionally discriminated against Claimant due to Respondent's racial bias against Middle Eastern individuals. Additionally, Claimant asserted that when he brought a charge of discrimination to the United States Civil Rights Commission, rather than terminating the offensive conduct, Respondent entered into a course of conduct to punish Claimant for filing his discrimination claim.

Respondent denied Claimant's Statement of Claim in its entirety.

RELIEF REQUESTED

Claimant sought the following relief:

1. Moving/Out of Pocket costs in the amount of \$58,700.00;
2. Emotional distress damages in the amount of \$150,000.00;
3. Punitive damages in the amount of \$150,000.00;
4. Attorney's fees and costs according to proof.

Respondent sought dismissal of Claimant's Statement of Claim, 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 Regulation, Inc., Office of Dispute Resolution.

AWARD

After considering the pleadings, the testimony, the evidence presented at the hearing, the post-hearing closing briefs and case law exhibits, the undersigned arbitrators have decided in full and final resolution of the issues submitted for determination as follows:

1. The panel does not find facts sufficient to charge Respondent with liability under Title VII. Therefore, all of Claimant's claims are denied in their entirety.
2. Each party shall bear his/its own costs including attorney's fees.

FORUM FEES

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

One (1) Pre-Hearing Conference @ \$300.00/Session	= \$300.00
<u>Ten (10) Hearing Sessions @ \$750.00/Session</u>	<u>= \$7500.00</u>
Total Forum Fees Assessed	= \$7800.00

Respondent's Balance Due	= \$7800.00
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Claimant's Hearing Session Deposit in the amount of \$750.00 shall be refunded by NASD Regulation, Inc.

Fees are payable to NASD Regulation, Inc.

ARBITRATORS

<u>Name</u>	<u>Public/Industry</u>
Wayne E. Gallop, Esq	Public Arbitrator
Gwendolyn J. Bandt	Industry Arbitrator
Robert S. Granas	Public Arbitrator

Concurring Arbitrators' Signatures


Wayne E. Gallop, Esq

Gwendolyn J. Bandt

Robert S. Granas

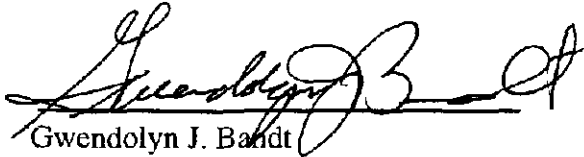
Date of Service: 1/23/98

ARBITRATORS

<u>Name.....</u>	<u>Public/Industry</u>
Wayne E. Gallop, Esq.	Public Arbitrator
Gwendolyn J. Bandt	Industry Arbitrator
Robert S. Granas	Public Arbitrator

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Wayne E. Gallop, Esq.


Gwendolyn J. Bandt

Robert S. Granas

Date of Service: _____

1/23/98

96-02286

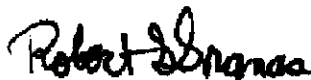
Page 2

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Date of Service:

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