

AWARD

NASD REGULATION, INC.

In the matter of the Arbitration Between

Name of Claimant

Marvin Osman

v.

Arbitration No.
96-02952

Name of Respondents

David Weiss, John Klingenmeier,
Roger Chlowitz , and Richard Gill

REPRESENTATION

For Claimant:

Ricki C. Ring, Esq.
Jay R. Stein, Esq.
Law Offices of Ricki C. Ring
Los Angeles, California

For Respondent David Weiss:

David Weiss
In Pro Per
Northridge, California

For Respondent John Klingenmeier:

John Klingenmeier
In Pro Per
West Hills, California

For Respondent Roger Chlowitz:

Roger Chlowitz
In Pro Per
Northridge, California

For Respondent Richard Gill:

Richard Gill
In Pro Per
North Hollywood, California

CASE INFORMATION

Statement of Claim filed:	July 8, 1996
Claimant's Submission Agreement signed:	July 3, 1996
Statement of Answer filed by Respondent David Weiss:	July 23, 1996
Statement of Answer filed by Respondent John Klingenstein:	January 7, 1997
Statement of Answer filed by Respondent Roger Chlowitz:	August 1996
Statement of Answer filed by Respondent Richard Gill:	January 10, 1997
Respondent Weiss' Submission Agreement signed:	August 20, 1996
Respondent Klingenstein's Submission Agreement signed:	January 7, 1997
Respondent Chlowitz's Submission Agreement signed:	August 20, 1996
Respondent Gill's Submission Agreement signed:	January 10, 1997

HEARING INFORMATION

Pre-Hearing Conference Dates/Sessions:	March 12, 1997 (1 session) July 10, 1997 (1 session)
Hearing Dates/Sessions:	October 14, 1998 (2 sessions) October 15, 1998 (2 sessions)
Hearing Location:	Los Angeles, California

CASE SUMMARY

Claimant alleged Respondents committed fraud, misrepresentation, negligence, breach of fiduciary duty, and elder abuse in connection with certain securities/investments purchased on behalf of Claimant.

Respondents denied Claimant's claims in their entirety.

RELIEF REQUESTED

Claimant sought \$84,230.00 in compensatory damages, punitive damages under California Civil Code Section 3294, attorney's fees and costs.

Respondents sought dismissal of Claimant's Statement of Claim, attorney's fees, and costs.

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.

Claimant has amended request for compensatory damages and interest to reflect a demand for \$84,230.00.

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) The Panel concludes that securities fraud was committed by Respondents Weiss, Klingenstein, Chlowitz, and Gill.
- 2) Respondents Weiss, Klingenstein, Chlowitz, and Gill are jointly and severally liable to and shall pay Claimant the sum of \$ 112,427.00 in compensatory damages, inclusive of interest, attorneys fees and costs.
- 3) Claimant's Claim for punitive damages is denied.
- 4) All relief not expressly granted is denied.

FORUM FEES

Pursuant to Rule 10332(c) of the Code of Arbitration Procedure, the following forum fees are assessed Against Respondents Weiss, Klingenstein, Chlowitz, and Gill , Jointly and Severally:

Two Pre-Hearing Conference Sessions @ \$500.00 / session	= \$1,000.00
Four Hearing Sessions @ \$500.00/ session	= \$2,000.00
Total Fees Assessed Against Respondents Weiss, Klingenstein, Chlowitz, and Gill , Jointly and Severally	= \$3,000.000

Claimant's Hearing Session Deposit will be refunded by NASD Regulation, Inc.

Fees are payable to NASD Regulation, Inc.

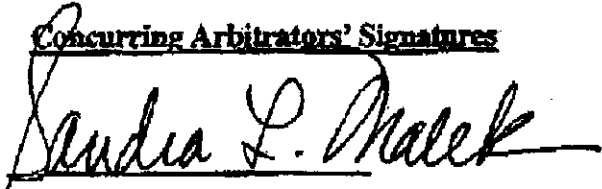
OTHER FEES

Pursuant to Rule 10333 of the Code, Respondent The Columbus Financial, Inc. has not paid to NASD Regulation, Inc. the \$350.00 member surcharge previously invoiced.

ARBITRATORS

<u>Name</u>	<u>Arbitrators</u>
Sandra L. Malek, Esq.	Public Arbitrator
Jack P. Jaye	Public Arbitrator
Alan D. Shifman, Esq.	Industry Arbitrator

Concurring Arbitrators' Signatures


Sandra L. Malek, Esq.

Jack P. Jaye

Alan D. Shifman, Esq.

Date of Service: November 16, 1998

ARBITRATORS

Name

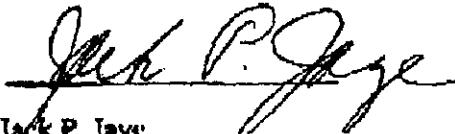
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Arbitrators

Public Arbitrator
Public Arbitrator
Industry Arbitrator

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Sandra L. Malek, Esq.



Jack P. Jaye

Alan D. Shifman, Esq.

Date of Service: November 16, 1998

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Jack P. Jaye



Alan D. Shifman, Esq.

Date of Service: November 16, 1998