

AWARD

NASD Regulation, Inc.

CASE: 98-00139

Orthopedic Associates Retirement Trust, claimant vs. Smith Barney, Inc., and
Daniel R. McAuliffe, Jr., respondents.

ATTORNEYS:

Claimant appeared Pro Se, through its trustee, Donald L. Boyd, Leesburg, GA

For Respondents appeared in-house counsel, Ann Parry, New York, NY

DATE FILED: January 12, 1998

CASE SUMMARY: Claimant alleged that respondents did not pay him the correct price when he liquidated shares of SLB Mid West Futures Fund, L.P.

Claim Data

Claim: \$2,378.80

Interest: \$.00

Filing Fees: \$.00

Award Data

Award: \$2,378.80

Interest: @ 5% per annum from
12/31/94 to the award date

Filing Fees: \$50.00

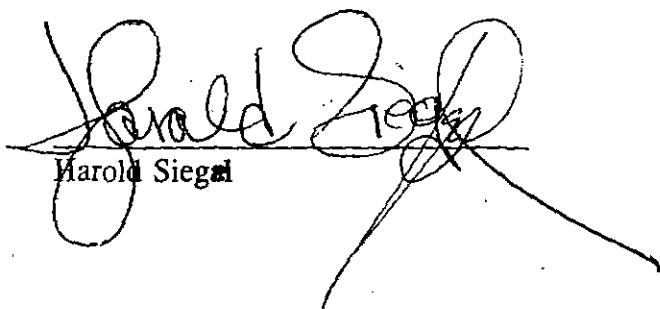
AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent Smith Barney, Inc., is liable and shall pay to the claimant \$2,378.80. 2) Respondent Daniel J. McAuliffe's Motion to Dismiss the claims of claimant is hereby granted. Accordingly, the claims of claimant against respondent Daniel R. McAuliffe, Jr., are dismissed in their entirety. 3) Respondent Smith Barney, Inc., is liable and shall pay claimant interest at the rate of 5% per annum from 12/31/94 until the award date. 4) All other relief requests are denied. 5) The \$50.00 filing fee previously deposited with the National Association of Securities Dealers Regulation, Inc. by the claimant, shall be retained by NASD Regulation, Inc. 6) Respondent Smith Barney, Inc. is liable and shall pay claimant \$50.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, respondent shall pay to NASD Regulation, Inc. the \$150.00 Member Surcharge previously invoiced.

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AFFIRMATION

I, Harold Siegel, do hereby affirm, upon my oath as arbitrator that I am the individual described herein who executed this instrument, which is my oath and award.


Harold Siegel

May 27, 1999

Date of award