

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Margaret C. Howard (Claimant) v. Donald & Co. Securities, Inc. (Respondent)

Case Number: 98-00353

Hearing Site: New York, New York

Nature of the Dispute: Customer vs. Member.

REPRESENTATION OF PARTIES

Claimant Margaret C. Howard ("Howard") hereinafter referred to as "Claimant":
Stephanie R. Cooper, Esq., Moses & Singer, LLP, New York, NY.

Respondent Donald & Co. Securities, Inc. ("Donald & Co.") hereinafter referred to as
"Respondent": Marc J. Ross, Esq., Sichenzia Ross Friedman & Ference, LLP, formerly
of the Law Offices of Marc J. Ross, New York, NY .

CASE INFORMATION

Statement of Claim filed on or about: January 29, 1998.

Claimant signed the Uniform Submission Agreement: January 26, 1998.

Statement of Answer filed by Respondent on or about: April 15, 1998.

Respondent signed the Uniform Submission Agreement: February 6, 1998.

CASE SUMMARY

Claimant asserted the following causes of action: fraudulent misrepresentation; violation
of Section 2310 of the Conduct Rules of the NASD; and breach of fiduciary duty.

Claimant's claim involved SenTech EAS Corporation.

Unless specifically admitted in its Answer, Respondent denied the allegations made in the
Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$119,144.00 plus interest,
together with the costs and disbursements of this proceeding, and for such other and
further relief as is just and proper.

Respondent requested that the Statement of Claim be dismissed.

OTHER ISSUES CONSIDERED AND DECIDED

NASD Dispute Resolution ("NASD DR") has been unable to reschedule this matter since the postponement of the hearings scheduled for May 12-14, 1999. Several attempts were made to contact Claimant's counsel asking her to advise NASD DR as to the status of this matter. To date, NASD DR has not received a response and the Panel has determined to dismiss this matter without prejudice for failure to prosecute.

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

After considering the pleadings and Claimant's lack of prosecution, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Claimant's claims are dismissed in their entirety.
2. Any and all relief not specifically addressed herein is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee	= \$200.00
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Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the events giving rise to the dispute. Accordingly, Donald & Co. Securities, Inc. is a party.

Member surcharge	= \$1,500.00
Pre-hearing process fee	= \$ 600.00
Hearing process fee	= \$2,500.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

May 12-14, 1999, adjournment by Claimant	= Waived
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Forum Fees and Assessments

The Panel has assessed forum fees for each session conducted. A session is any meeting between the parties and the arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with Panel @ \$750.00	= \$750.00
Pre-hearing conference: September 17, 1998 1 session	
Total Forum Fees	= \$750.00

1. The Panel has assessed \$375.00 of the forum fees against Claimant.
2. The Panel has assessed \$375.00 of the forum fees against Respondent.

Fee Summary

1. Claimant is solely liable for:	
Initial Filing Fee	= \$ 200.00
Forum Fees	= \$ 375.00
Total Fees	= \$ 575.00
Less payments	= \$1,425.00
Refund Due to Claimant	= \$ 850.00
2. Respondent is solely liable for:	
Member Fees	= \$4,600.00
Forum Fees	= \$ 375.00
Total Fees	= \$4,975.00
Less payments	= \$4,600.00
Balance Due NASD Dispute Resolution	= \$ 375.00

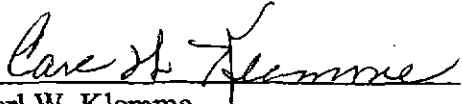
All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

Carl W. Klemme	-	Public Arbitrator, Presiding Chair
James Newton Nash	-	Public Arbitrator
Charles L. Henderson, Esq.	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

I, the undersigned arbitrator, do hereby affirm, pursuant to Article 7507 of the Civil Practice Law and Rules, that I am the individual described herein and who executed this instrument, which is my award.



Carl W. Klemme
Public Arbitrator, Presiding Chairperson



Signature Date

James Newton Nash
Public Arbitrator

Signature Date

Charles L. Henderson, Esq.
Non-Public Arbitrator

Signature Date

June 10, 2004
Date of Service (For NASD Dispute Resolution use only)

ARBITRATION PANEL

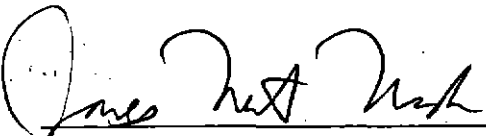
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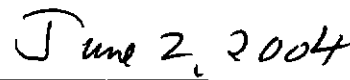
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