

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between

Name of Claimant

Michael John Lawroski

Case No. 99-00489

Name of Respondent

NationsBanc Montgomery Securities, LLC

REPRESENTATION OF PARTIES

For Michael John Lawroski, hereinafter referred to as "Claimant": Ira Lee Sorkin, Esq. of the law offices of Squadron, Ellenoff, Plesent & Sheinfeld, LLP, New York, New York.

For NationsBanc Montgomery Securities, LLC, hereinafter referred to as "Respondent": George C. Covington, Esq. of the law offices of Kennedy, Covington, Lobdell & Hickman, LLP, Charlotte, North Carolina.

CASE INFORMATION

Statement of Claim filed on or about: February 3, 1999.

Claimant signed the Uniform Submission Agreement on: February 1, 1999.

Statement of Answer filed by Respondent on or about: April 19, 1999.

Respondent signed the Uniform Submission Agreement on: April 19, 1999.

CASE SUMMARY

Claimant asserted the following causes of action: 1) breach of contract; 2) tortious discharge in violation of the public policy of the state of North Carolina; 3) breach of the covenant of good faith and fair dealing; and 4) libel. The causes of action relate to Respondent's employment discharge of Claimant.

Unless specifically admitted in its Answer, Respondent denied the allegations made in the Statement of Claim and asserted the following defenses: 1) Respondent acted in good faith; 2) Respondent reported truthful information on Claimant's Form U-5; 3) Respondent paid all compensation owed to Claimant; and 4) Claimant was an at-will employee subject to termination at any time.

RELIEF REQUESTED

Claimant requested: 1) compensatory damages and punitive damages in an amount in excess

of \$5,000,000.00; 2) attorneys' fees; 3) costs; 4) an award directing Respondent to report truthful information on Claimant's Form U-5; and 5) such other relief the undersigned arbitrators (the "Panel") deemed just and proper.

Respondent requested: 1) dismissal of the Statement of Claim; 2) costs; and 3) attorneys' fees.

OTHER ISSUES CONSIDERED AND DECIDED

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, the testimony and evidence presented at the hearing, and the post-hearing submissions, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Respondent is liable and shall pay to Claimant compensatory damages in the amount of \$1,300,000.00, pre-judgment interest specifically excluded. Post-judgment interest shall accrue, as of September 21, 2000, at the prime rate as adjusted and published from time to time in the Wall Street Journal Newspaper, and shall continue to accrue until the Award is paid in full.
2. Claimant's request for punitive damages is denied.
3. Claimant's request for attorneys' fees is denied.
4. Respondent shall amend Claimant's Form U-5 by deleting the language that Claimant "failed to discharge management responsibilities."
5. All other requests for relief not specifically addressed herein are denied.

FEES

Pursuant to the NASD-DR Code of Arbitration Procedure (the "Code"), the following fees are assessed:

Filing Fees

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

Initial claim filing fee = \$500.00

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the

member firm(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. In this matter, the member firm is a party.

Member surcharge	= \$3,000.00
Pre-hearing process fee	= \$ 600.00
Hearing process fee	= \$5,000.00

Adjournment Fees

Adjournments requested during these proceedings:

There were no adjournments requested during these proceedings.

Forum Fees and Assessments

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

One (1) Pre-hearing session with a single arbitrator x \$300.00	= \$ 300.00
Pre-hearing conference: April 25, 2000 1 session	

Two (2) Pre-hearing sessions with Panel x \$1,500.00	= \$ 3,000.00
Pre-hearing conferences: August 16, 1999 1 session	
February 4, 2000 1 session	

Twenty Two (22) Hearing sessions x \$1,500.00	= \$33,000.00
Hearing Dates: February 14, 2000 2 sessions	
February 15, 2000 2 sessions	
February 16, 2000 2 sessions	
February 17, 2000 2 sessions	
May 3, 2000 2 sessions	
May 4, 2000 2 sessions	
May 5, 2000 2 sessions	
June 22, 2000 2 sessions	
June 23, 2000 2 sessions	
August 17, 2000 2 sessions	
August 18, 2000 2 sessions	

Total Forum Fees	= \$36,300.00
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The Panel has assessed \$18,150.00 of the forum fees to Claimant.

The Panel has assessed \$18,150.00 of the forum fees to Respondent.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services including, but not limited to, additional copies of arbitrator awards beyond those provided without charge, copies of audio transcripts, retrieval of documents from archives,

interpreters, and security.

No administrative costs were incurred during these proceedings.

Fee Summary

Claimant be and hereby is solely liable for:

Initial Filing Fee	= \$ 500.00
Forum Fees	= \$18,150.00
Total Fees	= \$18,650.00
<u>Less payments</u>	<u>= \$ 2,000.00</u>
Balance Due NASD Dispute Resolution, Inc.	= \$16,650.00

Respondent be and hereby is solely liable for:

Member Fees	= \$ 8,600.00
Forum Fees	= \$18,150.00
Total Fees	= \$26,750.00
<u>Less payments</u>	<u>= \$ 8,600.00</u>
Balance Due NASD Dispute Resolution, Inc.	= \$18,150.00

All balances are due and payable to NASD Dispute Resolution, Inc.

Concurring Arbitrators' Signatures

/s/
Ira M. Starr, Esq.
Public Arbitrator, Presiding Chair

Signature Date

/s/
Richard M. Spector, Esq.
Public Arbitrator

Signature Date

/s/
Francis E. Hubbell
Industry Arbitrator

Signature Date

October 3, 2000
Date of Service (For NASD-DR office use only)

interpreters, and security.

No administrative costs were incurred during these proceedings.

Fee Summary

Claimant be and hereby is solely liable for:

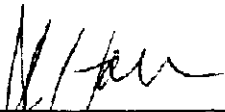
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Public Arbitrator, Presiding Chair

Signature Date

Richard M. Spector, Esq.
Public Arbitrator

Signature Date

Francis E. Hubbell
Industry Arbitrator

Signature Date

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Concurring Arbitrators' Signatures

Ira M. Starr, Esq.
Public Arbitrator, Presiding Chair

Signature Date



Richard M. Spector, Esq.
Public Arbitrator

9/23/00

Signature Date

Francis E. Hubbell
Industry Arbitrator

Signature Date

Date of Service (For NASD-DR office use only)

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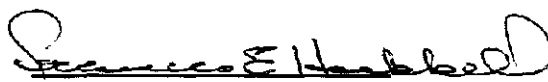
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Ira M. Starr, Esq.
Public Arbitrator, Presiding Chair

Signature Date

Richard M. Spector, Esq.
Public Arbitrator

Signature Date



Francis E. Hubbell
Industry Arbitrator

9/27/00

Signature Date

Date of Service (For NASD-DR office use only)