

Award
NASD Regulation, Inc.

In the Matter of the Arbitration Between:

George Gleser vs. J.E. Liss & Company, Inc. and Dennis Waisman

Case Number: 99-565

Hearing Site: Milwaukee, Wisconsin

REPRESENTATION OF PARTIES

Claimant, George Gleser, hereinafter referred to as "Claimant": Gabriel Mendelberg, Esq., New York, New York.

Respondents, J.E. Liss & Company, Inc. ("Liss") and Dennis L. Waisman ("Waisman"), hereinafter collectively referred to as "Respondents": Michael H. Schaalman, Esq., Quarles & Brady LLP, Milwaukee, Wisconsin.

CASE INFORMATION

Statement of Claim filed on or about: February 8, 1999

Claimant signed the Power of Attorney on or about: February 5, 1999

Gabriel Mendelberg, Esq. signed the Uniform Submission Agreement on behalf of Claimant on or about: February 8, 1999

Statement of Answer filed by Respondents Liss and Waisman on or about: June 1, 1999

Claimant's Motion to Bar filed on or about: May 12, 1999

Addendum to Motion to Bar filed on or about: October 14, 1999

Respondents' Response to Motion to Bar filed on or about: June 1, 1999

CASE SUMMARY

Claimant asserted the following causes of action: Violation of Section 10(b) and 20 of the Securities and Exchange Act of 1934 and Rule 10b-5 of the Securities Exchange Commission; intentional misrepresentation/negligent misrepresentation; breach of fiduciary duty and breach of the implied covenant of good faith and fair dealing, violation of NYSE Rules 342, 401 and 405 "Know your Customer Rules". The causes of action relate to Claimant's investment in Arch Equipment Leasing Participation units.

Unless specifically admitted in their Answer, Respondents Liss and Waisman denied the allegations made in the Statement of Claim and asserted the following defenses: Respondent Waisman only recommended investments which met Claimant's investment objectives and Claimant was informed of the risks.

RELIEF REQUESTED

Claimant requested: \$65,942.62, loss of use of investment capital, reimbursement of commissions, costs, attorney's fees pursuant to Wis. Stat. Ch. 551.59, punitive and exemplary damages, and such other relief as the arbitrators deem just and equitable.

Respondents requested: Unspecified.

OTHER ISSUES CONSIDERED AND DECIDED

Upon review of the file and the representations made by/on behalf of the Claimant, George Gleser, the undersigned arbitrators (the "Panel") determined that Claimant has received due notice of the hearing, and that arbitration of the matter would proceed without said Claimant present, in accordance with the NASD Code of Arbitration Procedure (the "Code").

Respondents J.E. Liss & Company, Inc. and Dennis Waisman did not file with the NASD Regulation, Inc. Office of Dispute Resolution a properly executed submission to arbitration but are required to submit to arbitration pursuant to the Code and, having answered the claim and appeared and testified at the hearing are bound by the determination of the Panel on all issues submitted.

The Panel denied Claimant's Motion to Bar.

The Panel granted Claimant's oral Motion at hearing to Exclude Respondents' Expert Witness During Fact Witness Testimony.

The Panel denied Respondents' oral Motion at hearing to Dismiss.

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, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

- 1.) Respondent J.E. Liss & Company, Inc. is liable for and shall pay to Claimant George Gleser the sum of \$45,000.00 in compensatory damages;
- 2.) Respondent Dennis Waisman is liable for and shall pay to Claimant George Gleser the sum of \$5,000.00 in compensatory damages;
- 3.) Respondent J.E. Liss & Company, Inc. is liable for and shall pay to Claimant George Gleser interest to be calculated at 6% per annum, compounded monthly, beginning to accrue 30 days after NASD Service Date until the \$45,000.00 in compensatory damages owed to Claimant by Respondent Liss is paid in full;
- 4.) Respondent Dennis Waisman is liable for and shall pay to Claimant

George Gleser interest to be calculated at 6% per annum, compounded monthly, beginning to accrue 30 days after NASD Service Date until the \$5,000.00 in compensatory damages owed to Claimant by Respondent Waisman is paid in full;

- 5.) That other than Forum Fees which are specified below, the parties shall each bear their own costs and expenses incurred in this matter;
- 6.) That any relief not specifically enumerated, including punitive and exemplary damages, is hereby denied with prejudice.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Regulation, Inc. will retain or collect the non-refundable filing fees for each claim:
Initial claim filing fee = \$150.00

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	= \$1,000.00
Pre-hearing process fee	= \$ 600.00
Hearing process fee	= \$1,500.00

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 Panel x \$500.00	= \$ 500.00
Pre-hearing conference(s): October 1, 1999 1 session	
Four (4) Hearing sessions x \$500.00	= \$2,000.00
Hearing Date(s): January 31, 2000 2 sessions	
February 1, 2000 2 sessions	
<hr/> Total Forum Fees	<hr/> 5 sessions = \$2,500.00

The Panel has assessed \$1,250.00 of the forum fees to George Gleser.

The Panel has assessed \$1,250.00 of the forum fees to J.E. Liss & Company, Inc.

Fee Summary

Claimant George Gleser be and hereby is solely liable for:

Initial Filing Fee	= \$ 150.00
Forum Fees	= \$ 1,250.00
Total Fees	= \$ 1,400.00
Less payments	= \$ 650.00
Balance Due NASD Regulation, Inc.	= \$ 750.00

Respondent J.E. Liss & Company, Inc. be and hereby is solely liable for:

Member Fees	= \$ 3,100.00
Forum Fees	= \$ 1,250.00
Total Fees	= \$ 4,350.00
Less payments	= \$ 1,600.00
Balance Due NASD Regulation, Inc.	= \$ 2,750.00

All balances are due to NASD Regulation, Inc.

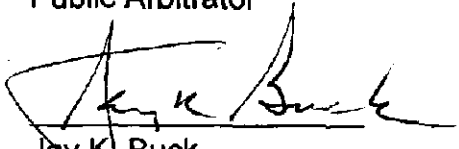
Concurring Arbitrators' Signature(s)

William B. Ross
Public Arbitrator, Presiding Chair

Signature Date

Thomas J. Olle
Public Arbitrator

Signature Date


Jay K. Buck
Industry Arbitrator

2/15/00
Signature Date

Date of Service (For NASD office use only)

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Concurring Arbitrators' Signature(s)



William B. Ross
Public Arbitrator, Presiding Chair

2/11/2000
Signature Date

Thomas J. Olle
Public Arbitrator

Signature Date

Jay K. Buck
Industry Arbitrator

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Concurring Arbitrators' Signature(s)

William B. Ross
Public Arbitrator, Presiding Chair

Signature Date


Thomas J. Olle
Public Arbitrator

Feb. 14, 2000
Signature Date

Jay K. Buck
Industry Arbitrator

Signature Date

Date of Service (For NASD office use only)