

N.A.S.D. REGULATION AWARD
NATIONAL ASSOCIATION OF SECURITIES DEALERS REGULATION, INC.

CASE: 99-01602

Richard A. Pozas, claimant vs. Brookstreet Securities Corporation and Donovan Morgan Lazar, respondents.

ATTORNEYS:

For Claimant Richard A. Pozas ("Claimant"), G. Mark Brewer, The Brewer Law Firm, La Jolla, California.

Respondent Donovan M. Lazar ("Lazar"), appeared Pro Se., San Jose, California.

For Respondent Brookstreet Securities Corporation ("Brookstreet"), H. Thomas Fehn, Esq., Fields, Fehn & Sherwin, Los Angeles, California.

DATE FILED: 4/6/1999

CASE SUMMARY: Claimant alleged that Lazar sold him his own personal stock in American Health & Fitness Corp ("Health & Fitness") in order to increase the value of the stock. Claimant further alleged that Lazar failed to disclose that he was a company insider and officer of Health and Fitness.

Claim Data

Claim: \$6,286.00
Punitive: unspecified
Atty Fees: unspecified
Filing Fees: unspecified
Costs: unspecified

Award Data

Award: \$.00
Punitive: \$.00
Atty Fees: \$.00
Filing Fees: \$162.50
Costs: \$.00

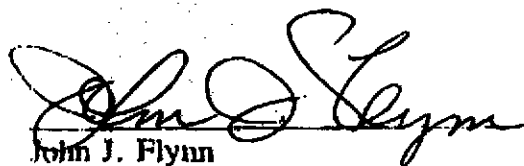
AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The claims of Claimant are dismissed in their entirety. 2) All requests for punitive damages are hereby denied. 3) All requests for attorney fees are hereby denied. 4) All other relief requests are hereby denied. 5) The \$325.00 filing fee previously deposited with the National Association of Securities Dealers Regulation, Inc. by the Claimant, shall be retained by NASD Regulation, Inc. 6) Respondents Brookstreet and Lazar are hereby jointly and severally liable and shall pay Claimant \$162.50 as partial reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent Brookstreet Securities Corp., has paid to NASD Regulation, Inc. the \$300.00 Member Surcharge previously invoiced.

OTHER ISSUES: The arbitrator denied Brookstreet's Securities Corporation Motion to Compel filed on December 6, 1999.

AFFIRMATION

I, John J. Flynn, 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.


John J. Flynn

April 18, 2000
Date of award