

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between

Name of Claimants

John D. and Melanie A. Moore, JT. Ten.
Karen L. Moore, IRA

vs.

Case No. 99-01890

Name of Respondent

John F. Murphy, Jr.

REPRESENTATION OF PARTIES

Claimants, John D. and Melanie A. Moore, Joint Tenants and Karen L. Moore IRA, hereinafter collectively referred to as "Claimants": Matthew J. Tuttle, Esq., Perkins, Smith & Cohen, Boston, Massachusetts

Respondent John F. Murphy, Jr. ("Respondent") did not appear.

CASE INFORMATION

Statement of Claim filed on or about: April 23, 1999

Claimants John D. and Melanie A. Moore signed the Uniform Submission Agreement: April 19, 1999

Claimant Karen L. Moore, for the Karen L. Moore IRA, signed the Uniform Submission Agreement: April 5, 1999

Respondent John F. Murphy did not file a Statement of Answer or an executed agreement to arbitrate.

CASE SUMMARY

Claimants asserted the following causes of action: unauthorized trades and failure to execute orders; fraud and deceit; breach of contract; breach of fiduciary duty; conversion; violations of state and federal securities laws; violation of Massachusetts Consumer Protection Laws; and wrongful liquidation of accounts on October 8, 1998. These claims involve OEX options trading and Lycos common stock.

Respondent did not file a Statement of Answer.

RELIEF REQUESTED

Claimants requested:

Compensatory Damages - John and Melanie Moore	\$830,000.00
Compensatory Damages - Karen L. Moore	\$120,000.00
Punitive Damages	Amount Not Specified
Interest	Amount Not Specified
Attorneys' Fees	\$60,360.77
Other Costs	\$8,554.28

Respondent did not request relief.

OTHER ISSUES CONSIDERED AND DECIDED

Upon review of the file and the representations made by/on behalf of the Claimants, the undersigned arbitrators (the "Panel") determined that Respondent has been properly served with the Statement of Claim and received due notice of the hearing, and that arbitration of the matter would proceed without said Respondents present, in accordance with the NASD-DR Code of Arbitration Procedure (the "Code").

Respondent did not file with the NASD Dispute Resolution, Inc. a properly executed submission to arbitration but is required to submit to arbitration pursuant to the Code, is bound by the determination of the Panel on all issues submitted.

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

1. That Respondent is liable to and shall pay to Claimants John and Melanie Moore, Joint Tenants, \$706,415.18, and statutory interest will accrue on this amount from the date this award is served on the parties until paid; and
2. That the claims asserted by Karen L. Moore are denied; and
3. That Respondent is liable to and shall pay to Claimants \$20,120.00 in attorneys' fees, and \$2,851.00 in costs, pursuant to Mass. Gen. L. ch. 110A, Section 410; and
5. That Respondent is liable to and shall pay to Claimants \$125.00 for one-third of their filing fee; and
6. That any and all relief not specifically addressed herein, including punitive damages, is denied.

FEES

Pursuant to 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 = \$375.00

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 the Respondent's former firm.

Member surcharge = \$2,000.00

Pre-hearing process fee = \$600.00

Hearing process fee = \$3,500.00

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 arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

1 Pre-hearing sessions with a single arbitrator x \$450.00 = \$450.00

Pre-hearing conference: February 10, 2000 1 session

1 Pre-hearing session with Panel x \$1,200.00 = \$1,200.00

Pre-hearing conference: February 2, 2000 1 session

1 Hearing session x \$1,200.00 = \$1,200.00

Hearing Date: June 26, 2000 1 session

Total Forum Fees = \$2,850.00

The Panel assessed \$1,750.00 of the forum fees to Respondent Murphy.

The Panel assessed \$1,100.00 of the forum fees, jointly and severally, to Claimants.

Fee Summary

Claimants are jointly and severally liable for:

Initial Filing Fee	= \$375.00
Forum Fees	= <u>\$1,100.00</u>
Total Fees	= \$1,475.00
Less payments	= <u>\$1,575.00</u>
Refund Due to Claimants	= \$100.00

Janney Montgomery Scott is solely liable for:

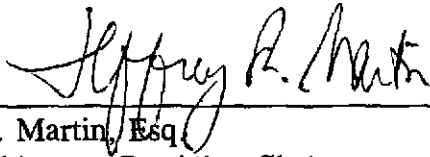
Member Fees	= \$6,100.00
Total Fees	= \$6,100.00
Less payments	= \$6,100.00
Balance Due NASD Dispute Resolution, Inc.	--0--

Respondent Murphy is liable for:

Forum Fee	= \$1,750.00
Balance Due NASD Dispute Resolution, Inc.	= \$1,750.00

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

CONCURRING ARBITRATORS' SIGNATURES



Jeffrey R. Martin, Esq.
Public Arbitrator, Presiding Chairman

8/14/00
Date Signed

David S. Kirk
Public Arbitrator

Date Signed

Thomas J. Horack
Industry Arbitrator

Date Signed

August 22, 2000
Date of Service (For NASD-DR office use only)

CONCURRING ARBITRATORS' SIGNATURES

Jeffrey R. Martin, Esq.
Public Arbitrator, Presiding Chairman

Date Signed



David S. Kirk
Public Arbitrator

8/7/00

Date Signed

Thomas J. Horack
Industry Arbitrator

Date Signed

August 22, 2000

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

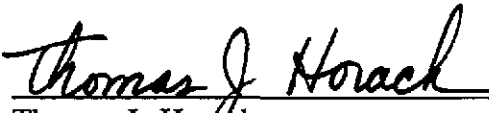
CONCURRING ARBITRATORS' SIGNATURES

Jeffrey R. Martin, Esq.
Public Arbitrator, Presiding Chairman

Date Signed

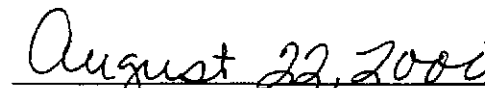
David S. Kirk
Public Arbitrator

Date Signed


Thomas J. Horack
Industry Arbitrator

8/9/00

Date Signed


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