

Award
NASD Regulation, Inc.

In the Matter of the Arbitration Between:
Jerome and Marcella Yunger, Claimants v. Seibt Financial Services, Inc., Respondent.

Case Number: 99-03994

Hearing Site: Las Vegas, Nevada

REPRESENTATION OF PARTIES

For Claimants:

Max C. Tanner, Esq.
Law Offices of Max C. Tanner
Las Vegas, Nevada

For Respondent:

Hans Seibt
Seibt Financial Services, Inc.
Las Vegas, Nevada

CASE INFORMATION

Statement of Claim filed: August 27, 1999

Claimants' Uniform Submission Agreement signed: August 12, 1999

Statement of Answer filed by Respondent: November 8, 1999

Respondent's Uniform Submission Agreement signed: October 19, 1999

CASE SUMMARY

Claimants alleged negligence, failure to execute, and breach of fiduciary duty. The claim involved shares of Prime Motor Inns LP (PMPI).

Respondent denied the allegations of wrongdoing set forth in the Claimants' Statement of Claim.

RELIEF REQUESTED

Claimants requested \$166,060.00 in compensatory damages and unspecified attorney's fees.

Respondent requested dismissal of the Claimants' Statement of Claim in its entirety, and reimbursement of attorney's fees incurred in responding to this claim.

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

1. Respondent Seibt Financial Services, Inc. is liable to and shall pay Claimant \$145,060.00 in compensatory damages.
2. Respondent Seibt Financial Services, Inc. is liable to and shall pay Claimant \$17,940.00 in pre-award interest.
3. Each party shall bear its own cost of arbitration, including attorney's fees.
4. All relief requested and not expressly granted is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Regulation, Inc. has received or will collect the non-refundable filing fees for each claim as follows:

Initial claim filing fee	= \$ 300.00
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Member Fees

Member fees are assessed to each member firm that is either a party in the matter or an employer of a respondent associated person at the time of the event of the dispute. Accordingly, the member firm Seibt Financial Services, Inc. is a party and the following fees are assessed:

Member Surcharge	= \$ 1,500.00
Pre-Hearing Process Fee	= \$ 600.00
<u>Hearing Process Fee</u>	<u>= \$ 2,500.00</u>
Total Member Fees	= \$ 4,600.00

Forum Fees and Assessments

The Panel assessed a forum fee for each pre-hearing conference or hearing session conducted. A pre-hearing conference and hearing session is any meeting between the parties and the Chair/Panel. The following fees are assessed:

1 Pre-hearing conference session with the Panel @ \$1,125.00/session	= \$ 1,125.00
Pre-hearing conference: March 21, 2000 1 session	

1 Hearing session @ \$1,125.00/session	= \$ 1,125.00
Hearing: May 24, 2000 1 session	

Total Forum Fees	= \$ 2,250.00
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1. The Arbitration Panel has assessed \$ 2,250.00 of the forum fees to Seibt Financial Services, Inc.

Fee Summary

1. Claimants are charged jointly and severally with the following fees and costs:

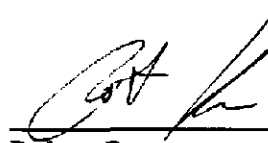
Initial Filing Fee	= \$ 300.00
<u>Less payments</u>	<u>= \$(1,425.00)</u>
Refund Due Claimants	= \${1,125.00}

2. Respondent Seibt Financial Services, Inc. is charged with the following fees and costs:

Member Fees	= \$ 4,600.00
<u>Forum Fees</u>	<u>= \$ 2,250.00</u>
Total Fees	= \$ 6,850.00
<u>Less payments</u>	<u>= \$(1,500.00)</u>
Balance Due NASD Regulation, Inc.	= \$ 5,350.00

All balances are payable to NASD Regulation, Inc. and are due within 30 days of the award's date of service.

Concurring Arbitrators' Signatures



Robert Rosen
Chair, Public Arbitrator

6/4/00

Signature Date

Anthony L. Andreoli
Public Arbitrator

Signature Date

Concurring in Part and Dissenting in Part Arbitrator's Signature

I concur with parts 1, 3 and 4, and dissent as to part 2 of the award section.

Gary S. Rosenberg
Non-Public Arbitrator

Signature Date


June 7, 2000

Date of Service

Concurring Arbitrators' Signatures

Robert Rosen
Chair, Public Arbitrator

Signature Date



Anthony L. Andreoli
Public Arbitrator



Signature Date

Concurring in Part and Dissenting in Part Arbitrator's Signature

I concur with parts 1, 3 and 4, and dissent as to part 2 of the award section.

Gary S. Rosenberg
Non-Public Arbitrator

Signature Date

Date of Service

Concurring Arbitrators' Signatures

Robert Rosen
Chair, Public Arbitrator

Signature Date

Anthony L. Andreoli
Public Arbitrator

Signature Date

Concurring in Part and Dissenting in Part Arbitrator's Signature

I concur with parts 1, 3 and 4, and dissent as to part 2 of the award section.



Gary S. Rosenberg
Non-Public Arbitrator

6/5/2000
Signature Date

Date of Service