

Well it's pretty obvious that most of the attorney's comments are against allowing NAR representatives during arbitrations. It's called "follow the money". So let me take the other side of the argument by explaining my situation and history. I am NOT an attorney. I have been a FINRA arbitrator (A12605) since 1993 after spending 12 years as a broker and branch manager. I have also been a consultant and expert witness for both claimants and respondents. I am chair qualified and have served as a chair on cases since 2000. In or about December 2003 I was asked by a friend to represent him in an arbitration (case #03-01802). We prevailed and the claims were dismissed & denied. Yes, you read that correctly -- I represented the Respondent in this case. Now let's go to the basis of the arguments about whether or not a representative in an arbitration needs to be an attorney. Not ALL arbitrations are about the law. Most (and I say that not lightly) are based on common sense and following the rules (not the law) of the industry. They also based on whose testimony the arbitrators believe. I have found during my many arbitrations that many of the attorneys attempt to persuade arbitrators by testifying themselves (cleverly hidden in their witness questioning). Finally I am not anti-attorney-I simply want to allow any claimant or respondent to make their own decision as to who will represent them-whether the decision is based on monetary considerations or otherwise. As an NRA-I do not pretend to "practice" law as is suggested by many of the previously made comments-I simply want to bring out the facts of the case and let the arbitrators make the decisions.

Respectfully submitted,

Anthony W. (Bill) Kashouty
558 Hideaway Lane East
Hideaway TX 75771-5242

A12605

903-882-9854
Cell-903-316-2668