

NATIONAL ASSOCIATION OF SECURITIES DEALERS

```
=====
In the Matter of the Arbitration Between      :
                                                :
Alfred N. Bjornsen                            :      OATH AND
                                                :      AWARD OF
                                                :      ARBITRATOR
                                                :
                                                :      88-00641
                                                :
                                Claimant        :
vs.                                         :
                                                :
First Affiliated Securities, Inc.           :
vs.                                         :
Thomas Missler                             :
                                                :
                                Respondents    :
=====
```

Having been selected as an arbitrator to consider and determine the matter in controversy between the above-captioned parties, I solemnly swear or affirm that:

- I am not an employer of, employed by or related by blood or marriage to any of the parties or witnesses whose names have been disclosed to me, and

- I have no interest directly or indirectly in this proceeding, and

- I know of no existing or past financial, business, professional, family or social relationship which would impair me from performing my duties, and

- I shall consider and decide the controversy faithfully and fairly and render a just award to the best of my understanding,

and the undersigned being the arbitrator selected to review and determine a matter in controversy between the above-mentioned Claimant(s) and Respondent(s), set forth in a submission to Arbitration signed by the Parties on February 22, 1988, April 21, 1988, and June 8, 1988 respectively;

And, that having reviewed and considered the proofs of the

Parties, including any additional documentary submissions of the Claimant(s) and the Respondent(s) has decided and determined that in full and final settlement of the above-captioned matter,

C H E C K L I S T

88-00641

Note: Fill out only those sections which apply to this particular case:

- 1) Find for the Claimant  
(a) total amount of the award: \$ 261.02  
(b) if two or more respondents are liable:  
(1) joint and severally liable: yes X no \_\_\_\_\_  
(2) if respondents separately liable  
list party and the amounts: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 2) Case Dismissed \_\_\_\_\_

- 3) Counterclaim of Respondent  
(a) total amount of award: \$ \_\_\_\_\_  
(b) party to receive award: \_\_\_\_\_  
(c) counterclaim dismissed: \_\_\_\_\_

- 4) Punitive Damages  
(a) total amount \$ \_\_\_\_\_  
(b) name parties against whom damages are to be  
assessed and in what amounts: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(c) claim dismissed: \_\_\_\_\_

- 5) NASD Fee  
(a) assessed against Claimant  
(b) assessed against Respondent

- 0% -  
- 50% - FAS  
- 50% - Missler

- 6) Use this space to expand or clarify any part of the  
decision above or to indicate other forms of specific  
relief.

*All claims by FAS against Missler are dismissed.*

Affirmation

STATE OF LOUISIANA

PARISH OF: EAST BATON ROUGE  
COUNTY OF

} SS:  
}

I, DANIEL EVERETT BIVINS III, do hereby affirm upon my oath  
as arbitrator that I am the individual described in and who  
executed this instrument, which is my oath and award.

July 10, 1989  
(DATE)

Daniel Eugene Bivins III  
(SIGNATURE OF ARBITRATOR)