

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between
William E. & Joann Miller
vs.
Blinder, Robinson & Co., Inc.
Linda Helmly

Claimants
Respondents

AWARD
#88-01927

Claimants alleged that Respondents Blinder, Robinson & Co., Inc. and Linda Helmly executed unauthorized transactions of common stock in their account and purchased shares in another security without their permission. Respondent Linda Helmly maintained that Claimants gave her permission to sell the common stock. Respondent Blinder, Robinson & Co., Inc. maintained that Claimants failed to timely object to the transactions complained of in their account and failed to mitigate their damages.

Claimants requested \$293,000.00 in compensatory damages, \$100,000.00 in punitive damages, interest, costs and attorneys fees. Respondent Linda Helmly requested that the claim of the Claimants be dismissed. Respondent Blinder, Robinson & Co., Inc. asserted a crossclaim against Linda Helmly for indemnification and requested that the claims of the Claimants be dismissed.

On January 18, 1990 in Atlanta, Georgia, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by Claimants William and Joann Miller on May 30, 1988, by Respondent Linda Helmly on August 25, 1988 and by Respondent Blinder, Robinson & Co., Inc. on August 16, 1988. The initial claim was filed on June 15, 1988. The arbitrators, having considered the pleadings, the testimony, and the evidence presented at the hearing, has determined in full and final resolution of the issues submitted for determination as follows:

1. Respondent Blinder, Robinson & Co., Inc. is liable and shall pay to the Claimants the sum of Fourteen Thousand Four Hundred Ninety Three Dollars and Sixty Cents (\$14,493.60).
2. The crossclaim of Blinder, Robinson & Co., Inc. against Respondent Linda Helmly be and hereby is dismissed.
3. The Claimants' claim for punitive damages be and hereby is denied.
4. The parties shall each bear their respective costs including attorney fees.
5. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall refund the \$750.00 filing fee previously deposited by the Claimant. Respondent Blinder, Robinson & Co., Inc. is hereby assessed \$1,500.00 in forum fees as costs of the two (2) hearing sessions conducted in this matter.

CONCURRING ARBITRATORS

/s/
Oliver Lee

/s/
Winnie P. Pannell

/s/
Walter S. Hay