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NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Arbitration Matter Between

RALPH AND NORMA J. HELM

Claimants

v.

Case No. 88-02140

E. F. HUTTON AND CO., INC.

Respondent

CASE SUMMARY

In a claim filed on or about June 28, 1988, the Claimant's alleged that their order to sell silver futures contracts was negligently delayed due to the late arrival to work of their broker on October 3, 1983. The Respondent denied any negligence in handling the sell order, and stated that the losses were due to market decline. Respondent further alleged that the claim was barred by the statute of limitations.

RELIEF REQUESTED

Claimants sought recovery of \$53,654 plus interest, attorneys' fees and costs. Respondent asked that all claims be dismissed.

AWARD

On July 19, 1989, in a hearing lasting 1 session, *See 10/23/89* the undersigned arbitrators heard this controversy between the parties as set forth in submissions to arbitration signed by the Claimants on June 28, 1988 and by Maureen Cunningham on behalf of Respondent on August 29, 1988.

Having considered the pleadings, evidence and testimony, and Respondent's brief relating to damages presented at the hearing, we find in full and final resolution of the issues submitted for determination as follows:

1. All claims of Claimant are hereby dismissed in all respects;
2. Each party shall bear its own costs and expenses, including attorneys' fees; and

3. The \$500 previously deposited by the Claimant shall be retained by the NASD pursuant to Section 43 of the NASD Code of Arbitration Procedure.

Dated: \_

Dated: \_

Dated: \_

7/27/89