

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

William W. Kelly, Trustee

vs.

Thomas A. Butler

Claimant(s)

Respondent(s)

NOTICE OF ARBITRATION
AWARD
88-03595

CASE SUMMARY

Claimant William W. Kelly, Trustee alleged that Thomas A. Butler delayed in executing an order resulting in financial loss. Respondent maintains that there was no delay and that the order date in the Claimant's claim is incorrect.

RELIEF REQUESTED

Claimant William W. Kelly, Trustee requested damages of \$8,713.00. Respondents requested dismissal of claim and costs.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, Albert A. Rapoport, Esq., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on November 16, 1988 and by Respondents on January 18, 1989. The Arbitrator, having considered the proofs of the parties, has determined in full and final resolution of the issue submitted for determination as follows:

That the claim of the Claimant shall be and hereby is dismissed in all respects;

And, that Claimant's request for punitive damages is dismissed;

The parties shall each bear their respective costs including attorney's fees.

The \$200.00 filing fee previously deposited with the NASD, Inc. by the Claimant shall be retained by the NASD Inc. as cost of this proceeding.

June 26, 1989