

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

John R. Schiffbauer, Jr.

Claimant(s)

vs.

Thomson McKinnon
Securities, Inc.

Respondent(s)

NOTICE OF ARBITRATION
AWARD
88-03923

CASE SUMMARY

Claimant(s) John R. Schiffbauer, Jr. alleged that Respondent(s) Thomson McKinnon Securities, Inc. misrepresented material facts with respect to Claimant's account held with Respondent. Respondent(s) denies all allegations.

RELIEF REQUESTED

Claimant(s) John R. Schiffbauer, Jr. requested damages of One Thousand Six Hundred Seventy Dollars and No Cents (\$1,670.00). Respondent(s) requested dismissal of claim and costs, in addition, Respondent is counterclaiming the Claimant for costs of this proceeding.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, William L. Hawes, was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant(s) on November 29, 1988 and by Respondent(s) on April 10, 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:

The claim against the Respondent shall be dismissed in its entirety and the counterclaim by the Respondent against the Claimant shall also be dismissed in its entirety.

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

The \$25.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be retained by the NASD as costs of this proceeding.

August 17, 1989