

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Edward J. O'Leary, Jr.

vs.

Claimant(s)

First Affiliated Securities, Inc.

vs.

Bennie Yount

Respondent(s)

NOTICE OF ARBITRATION

AWARD

89-00075

CASE SUMMARY

Claimant(s) Edward J. O'Leary, Jr. alleged that Respondent(s) First Affiliated Securities, Inc. made unauthorized transactions. Respondent(s) maintain that Claimant produced no evidence of wrongdoing on the part of First Affiliated Securities, Inc.

RELIEF REQUESTED

Claimant(s) Edward J. O'Leary, Jr. requested damages of Four Thousand Eight Hundred Thirty Two Dollars and No Cents (\$4,832.00). Respondent(s) requested dismissal of claim and costs, and that they be indemnified by Respondent Bennie Yount should liability be assessed to them to the extent that Yount's acts caused the Claimants alleged damages.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, Joyce Levinson, 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 January 9, 1989 and by Respondent(s) on March 27, 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 of the Claimant is hereby dismissed in all respects.

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

The \$100.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be retained by the NASD as costs of this proceeding.

September 11, 1989