

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Larry J. Dixon

Claimant

CASE #89-00273

vs.

AWARD

Connecticut National Bank
CNB Discount Brokerage, Inc.

Respondents

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on January 30, 1989, Claimant Larry J. Dixon alleged that the Respondents by selling Claimant's securities contrary to Claimant's stated instruction, by failing to immediately "bust" or rescind the trades and accept any loss resulting therefrom, by offering to partially "bust" the trades only when they could so without any loss to themselves, and by pressuring Claimant to either accept the offer immediately or accept the erroneous trades, knowingly or recklessly engaged in acts and practices which operated as a fraud upon Claimant. Respondents Connecticut National Bank and CNB Discount Brokerage, Inc. maintained they executed the sales in Claimant's account upon the specific order and instructions received from the Claimant and further maintained they warned the Claimant that because of the volatile conditions presiding in the market his sell orders may not be executed accurately and they are not responsible for market conditions beyond their control. Respondents further maintained that within 48 hours of the trades they were in a position to offer a "bust" of the sale which the Claimant refused and the Claimant then again requested the trades be busted once the shares split, and the Respondents maintained they are not responsible for the strategy error made by the Claimant and are under no obligation to presently "bust" the Claimant's trades because the stock split.

RELIEF REQUESTED

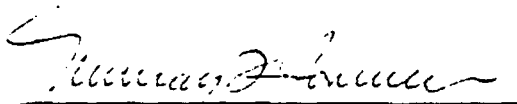
Claimant requested monetary damages of \$4,587.00 plus return of the balance of 5304 shares (converted at split to 13260 shares) or in the alternative as to the latter and monetary award of \$183,982.50 plus interest costs and attorneys' fees. Respondents requested dismissal of claim, costs and disbursements in defending the arbitration, attorneys' fees and such other and further relief as may be just and proper.

AWARD

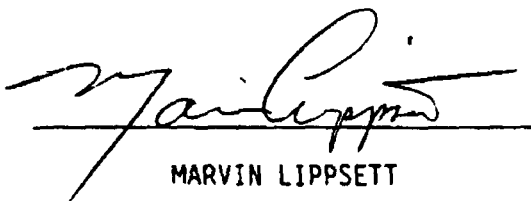
On January 25 and March 22, 1990 the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant Larry J. Dixon on January 24, 1989, and by Respondents Connecticut National Bank and CNB Discount Brokerage, Inc. on May 10, 1989. The hearing was held at the offices of the National Association of Securities Dealers, Inc. located in New York City, NY and consisted of three (3) hearing sessions. The arbitration panel, 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. The Respondents Connecticut National Bank and CNB Discount Brokerage, Inc. be and hereby are liable jointly and severally and are directed to deliver to the Claimant Larry J. Dixon on or before April 6, 1990 2249 shares of the common stock of Medco Containment Services, Inc., interest specifically excluded.
2. The parties shall each bear their respective costs including attorneys' fees.
3. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$750.00 filing fee previously deposited by the Claimant. In addition, the Claimant be and hereby is liable and shall pay to the National Association of Securities Dealers, Inc. the sum of \$750.00 to represent forum fees and the Respondents Connecticut National Bank and CNB Discount Brokerage, Inc. be and hereby are liable jointly and severally and shall pay to the National Association of Securities Dealers, Inc. the sum of \$750.00 to represent forum fees.

CONCURRING ARBITRATORS



MURRAY I. SOMMER



MARVIN LIPPSETT

DISSENTING ARBITRATOR



C. SCOTT BARTLETT

DATED: MARCH 23 , 1990