

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Terry W. Miller

vs.

Kober Financial Corp.

Claimant(s)

Respondent(s)

NOTICE OF ARBITRATION
AWARD
89-01085

CASE SUMMARY

Claimant(s) Terry W. Miller alleged that Respondent(s) Kober Financial Corp. failed to "cash out" Claimant's account in October 1988. Respondent(s) maintain that Claimant's account was handled properly under the circumstances.

RELIEF REQUESTED

Claimant(s) Terry W. Miller requested damages of Four Thousand Three Hundred Twenty Five Dollars and No Cents (\$4,325.00). Respondent(s) requested dismissal of claim and costs.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, Delores I. Smith, Esq., 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 March 15, 1989 and not by the Respondent as required by Section 12(a) of the NASD, Inc. Code of Arbitration Procedure;

And, that the Arbitrator, having considered the proofs of the Parties, including any additional documentary submissions of the Claimant(s) and the Respondents(s) has decided and determined in full and final resolution of the issue submitted for determination as follows:

The claim against the Respondent 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.

November 3, 1989