

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Suzanne Swain

Claimant(s)

vs.

Blinder, Robinson & Co., Inc.

Respondent(s)

NOTICE OF  
ARBITRATION

AWARD

89-02602

CASE SUMMARY

Claimant(s) Suzanne Swain alleged that Respondent(s) Blinder, Robinson & Co., Inc. executed a sell transaction in Claimant's account without authorization and against her wishes. Respondent(s) maintain that the recommendation to sell was justified and Claimant's failure to object to the transaction in writing on a timely basis evidences ratification of the sale.

RELIEF REQUESTED

Claimant(s) Suzanne Swain requested damages of Seven Thousand Seven Hundred Dollars and No Cents (\$7,700.00). 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, Robert L. Agosto, 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 September 14, 1989 and by Respondent(s) on November 13, 1989, respectively;

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 Respondent is liable and shall pay to the Claimant the amount of Seven Thousand Seven Hundred Dollars and No Cents (\$7,700.00).

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(s) is assessed against the Respondent and shall be refunded to the Claimant by the Respondent.

January 17, 1990