

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Richard P. Thomas and
Caroline J. Thomas JTWROS

Claimant(s)

vs.

Kennedy, Cabot & Co.

Respondent(s)

NOTICE OF
ARBITRATION
AWARD
90-00888

CASE SUMMARY

Claimant(s) Richard P. Thomas and Caroline J. Thomas JTWROS alleged that Respondent(s) Kennedy, Cabot & Co. mismanaged Claimants' account causing Claimants to suffer losses due to Respondent's failure to handle transactions promptly. Respondent denied Claimants' allegations and maintained it acted in a timely manner and in strict accordance with Claimants' instructions.

RELIEF REQUESTED

Claimant(s) Richard P. Thomas and Caroline J. Thomas JTWROS requested damages of Ten Thousand Dollars and No Cents (\$10,000.00), including punitive damages of Six Thousand Seventy Four Dollars and Fifty Three Cents (\$6,074.53). 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 20, 1990 and by Respondent(s) on May 2, 1990, respectively;

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

That the claim of the Claimant is hereby dismissed in all respects.

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

Notice of Arbitration Award
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The \$200.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be retained by the NASD as costs of this proceeding.

July 5, 1990