

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Colgin & Knueppel Enterprises Partnership

90-01294

Name of Respondents

Shearson Lehman Hutton, Inc. and
Joe Kelly

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. ("NASD") on or about May 7, 1990 Colgin & Knueppel Enterprises Partnership ("Claimant") alleged that Joe Kelly ("Kelly") a registered representative of Shearson Lehman Hutton, Inc. ("Shearson") (collectively as ("Respondents")) made an unauthorized sale of shares of Midwest Financial Group, Inc. stock on July 13, 1989.

In their joint Answer filed with the NASD on or about July 3, 1990, Respondents denied that the transaction in question was unauthorized. Respondents specifically state that the transaction in question was authorized.

In their amendment to the answer filed with the NASD on or about July 11, 1990, Respondents specifically stated the Mr. Colgin was informed of the sale and the price by the confirmation mailed to the partnership.

RELIEF REQUESTED

Claimant requested an award in the amount of \$4,875.00.

Respondent requested that the Statement of Claim be dismissed in its entirety and costs and expenses be assessed against claimant.

PROCEDURAL MATTERS

On Wednesday, February 13, 1991 in Chicago, Illinois during a hearing lasting a total of one (1) session, the undersigned arbitrator heard the

controversy between the parties as set forth in submissions to arbitration signed on April 3, 1990 by Bruce A. Colgin and A Terry Knueppel on behalf of Claimant Colgin & Knueppel Enterprises Partnership on July 2, 1990 by William A. Hohauser on behalf of Respondent Shearson Lehman Hutton, Inc. and on July 17, 1990 by Respondent Joseph P. Kelly.

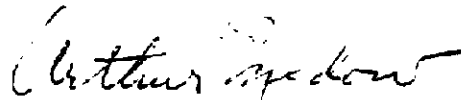
AWARD

The arbitrator, having considered the pleadings, the testimony, and the evidence presented at the hearing, has decided in full and final resolution of the issues submitted for determination as follows:

1. The Statement of Claim shall be and hereby is dismissed and denied in its entirety;
2. Each party shall bear its own costs and expenses including attorneys fees incurred in this matter not specifically enumerated herein; and
3. Pursuant to Section 43(c) of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the hearing session deposit in the amount of \$50.00 previously deposited with the NASD by the Claimant. The Claimant shall pay to the NASD the sum of \$50.00 as forum fees.

Dated:

February 14, 1991



Arthur Meadow, Esq.
Presiding Chair