

90-01445

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Kenneth P. Mayhew, Jr.

Claimant(s)

vs.

J.F. Lowe & Co., Inc.
and Otra Clearing

Respondent(s)

NOTICE OF
ARBITRATION
AWARD

90-01445

CASE SUMMARY

Claimant(s) Kenneth P. Mayhew, Jr. alleged that Respondent(s) J.F. Lowe & Co., Inc. and Otra Clearing as clearing agent executed an unauthorized trade in Claimant's account. Respondent(s) deny Claimant's allegations.

RELIEF REQUESTED

Claimant(s) Kenneth P. Mayhew, Jr. requested damages of Seven Hundred Eighty Dollars and No Cents (\$780.00). 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, William Zysk, 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 May 17, 1990 and by Respondent(s) on February 9, 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.

The \$15.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be retained by the NASD as costs of this proceeding.

September 6, 1990

Note: Fill out only those sections which apply to this particular case: Case Number 90-01445

- 1) Case Dismissed X
- 2) Find for the Claimant
(a) total amount of the award: \$ _____
(b) if two or more respondents are liable: yes _____ no _____
(1) joint and severally liable: yes _____ no _____
(2) if respondents separately liable list party and the amounts: _____

- 3) Counterclaim of Respondent
(a) total amount of award: \$ _____
(b) party to receive award: _____
(c) counterclaim dismissed: _____
- 4) Punitive Damages
(a) total amount \$ _____
(b) name parties against whom damages are to be assessed and in what amounts: _____

- (c) claim dismissed: _____
- 5) NASD Fee X
(a) assessed against Claimant
(b) assessed against Respondent
- 6) Use this space to expand or clarify any part of the decision above or to indicate other forms of specific relief.

SEP 5 1990

Affirmation

STATE OF

Pennsylvania

} SS:
}

COUNTY OF

Dauphin

I, William Zylk, do hereby affirm upon my oath as arbitrator that I am the individual described in and who executed this instrument, which is my oath and award.

8/30/90

(DATE)



(SIGNATURE OF ARBITRATOR)