

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between)	
Robert G. Peterson Family)	
Trust et al)	
)	
Claimant)	
)	AWARD
vs.)	
)	NASD NO. 90-01806
Discount Brokerage Services)	
Tim Powell)	
)	
Respondents)	

SUMMARY OF ISSUES

This case was filed with the National Association of Securities Dealers, Inc. ("NASD") on June 26, 1990. Claimant alleged: failure to forward a cash tender offer to CNW Corporation.

Respondents alleged: they did not receive notice of tender from claimant, and could not have legally received such notice (series of sell orders placed by the trustees is inconsistent with the trustees allegations that a tender was submitted).

DAMAGES AND RELIEF REQUESTED

Claimant requested compensatory damages of \$4,230.00.

DAMAGES AND RELIEF AWARDED

On February 6, 1991, the undersigned arbitrator heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant on June 22, 1990 and by Respondent on August 21, 1990. The hearing was conducted in Los Angeles, California and lasted one session. The arbitration panel, having considered the pleadings, the testimony, and the evidence presented at the hearing, has determined in full and final resolution of the issues submitted for determination as follows:

1. Respondent Olde Discount Corporation is liable for and shall pay to claimant the sum of \$2,100.00.

2. All claims against respondent Powell are dismissed.

3. The parties shall each bear their respective costs including attorneys' fees.

4. In accordance with Section 43 of the NASD Code of Arbitration Procedure, the NASD shall retain the \$150.00 filing fee previously deposited by the Claimant as an assessment of forum fees by the arbitrators.

ARBITRATOR CONCURRING

DATE SERVED: 03/05/91

Evelyn Ann Kramer
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