

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant(s)

Xuan T. Le
Hanh B. Hoang

NASD Arbitration
No. 92-02426

Name of Respondent(s)

Kennedy, Cabot & Co., Inc.

REPRESENTATION

For Claimants: Xuan T. Le, Huntington Beach, California

For Respondent: George H. Kupper, Esq., Kennedy, Cabot & Co., Inc., Beverly Hills, California

CASE INFORMATION

Statement of Claim filed: July 20, 1992

Claimants' Submission Agreement signed: July 10, 1992

Statement of Answer filed by Respondent: August 1, 1992

Respondent's Submission Agreement signed: August 28, 1992

HEARING INFORMATION

Pre-Hearing Conference: None

Hearing Date(s)/Sessions: May 14, 1993 (one session)

Hearing Location: Los Angeles, California

CASE SUMMARY

Claimants alleged that Respondent erroneously executed a sale order with respect to Claimants' shares of TSQM (T2 Medical Inc.) stock.

Respondent denied the allegations set forth in Claimants' Statement of Claim and alleged that it handled Claimants' account properly.

RELIEF REQUESTED

Claimant requested:

1. Damages in the amount of \$2,000.00;
2. Commission charges in the amount of \$126.00; and
3. Such other relief as deemed proper by the arbitrator.

Respondent requested dismissal of Claimants' claims.

OTHER ISSUES CONSIDERED & DECIDED

None.

AWARD

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

1. All claims by Claimants are dismissed.
2. The parties shall each bear their respective costs including attorney's fees.

FORUM FEES

Pursuant to Section 43c of the Code of Arbitration Procedure, the following forum fees are assessed: The NASD shall retain the \$25.00 hearing session deposit previously deposited by the Claimants as costs of this proceeding.


ARBITRATOR

Name _____ Public/Industry

George M. Wiener, Esq.

Public Arbitrator

Concurring Arbitrator's Signature



George M. Wiener, Esq.

Date of Decision: _____

Date Served: 06/ 29/93