

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Ana Rita Monteiro Tran

94-01086

Name of Respondent

Kennedy, Cabot & Company

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on March 22, 1994, Claimant Ana Rita Monteiro Tran, who appeared Pro Se, alleged that Respondent Kennedy Cabot and Company told her that 5,000 shares of SA Holdings stock she acquired through a distribution had been rescinded, and further that she is entitled to these shares and therefore, they should be returned to her account.

Respondent Kennedy, Cabot and Company, through its in-house counsel George Kupper, Esq., maintained that the Claimant is due no shares or dividends, due to the fact that SA Holdings announced the rescission of the dividend pertaining to this stock. Respondent contended that it acted correctly, and therefore, the Claimant's claim should be dismissed.

RELIEF REQUESTED

Claimant Ana Rita Monteiro Tran, requested that 5,000 shares of SA Holdings stock be returned to her account.

Respondent Kennedy, Cabot and Company, requested that the claims of the Claimant be dismissed.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Chet Olsen, was selected to review the matter in controversy between the parties set

Page 2

Award #94-01086

forth in submissions to Arbitration signed by the Claimant on March 16, 1994 and by the Respondent on July 8, 1994.

And, the Arbitrator, having considered the proof of the parties, has decided and determined in full and final resolution of the issues submitted for determination as follows:

1. The claims of the Claimant Ana Rita Monteiro Tran against Respondent Kennedy, Cabot and Company are dismissed in their entirety.
2. The parties shall bear their respective costs.
3. The \$150.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant Ana Rita Monteiro Tran, shall be retained by the NASD, Inc.

Page 3

Award #94-01086

AFFIRMATION

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

A handwritten signature in cursive script, appearing to read "Chet Olsen", is written above a horizontal line.

Signature of Arbitrator

DATE OF DECISION:

March 14, 1995