

NASD AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Name of Claimant

Kenneth T. Hall

and

95-00032

Name of Respondent

M. Rimson & Co., Inc.
Chris Kovacevich

REPRESENTATION OF PARTIES

Kenneth T. Hall ("**Claimant**") appeared *pro se*.

M. Rimson & Co., Inc. ("**Respondent M. Rimson**") did not respond to the Statement of Claim.

Chris Kovacevich ("**Respondent Kovacevich**") did not respond to the Statement of Claim.

CASE INFORMATION

The Statement of Claim was filed on or about January 3, 1995. Submission Agreement of Claimant Kenneth T. Hall was signed on December 27, 1994.

Respondent M. Rimson & Co., Inc. did not respond to the Statement of Claim.

Respondent Chris Kovacevich did not respond to the Statement of Claim.

CASE SUMMARY

Claimant alleged that Respondent Chris Kovacevich sold his shares of Dr. Pepper in February, 1994 without authorization and purchased shares of Environmental Holdings with the proceeds.

Respondents did not respond to the Statement of Claim.

RELIEF REQUESTED

Claimant requested an award in the amount of \$2,475.

Respondents did not respond to the Statement of Claim.

OTHER ISSUES CONSIDERED & DECIDED

In accordance with §13 of the NASD Code of Arbitration Procedure, the Respondents M. Rimson & Co., Inc. and Chris Kovacevich were served by certified mail and given an opportunity to respond and failed to do so.

Respondents M. Rimson & Co., Inc. and Chris Kovacevich did not file with the NASD a properly executed submission to arbitration but are required to submit to arbitration pursuant to §12 of the NASD Code of Arbitration Procedure (the "Code") and are bound by the determination of the arbitrator on all issues submitted.

AWARD

Pursuant to §13 of the NASD Code of Arbitration Procedure, a single public arbitrator, Thaddeus J. Tecza, Ph.D. was selected to review the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on December 27, 1994. The undersigned arbitrator having considered the submissions of the parties has decided in full and final resolution of the issues submitted for determination as follows:

1. Respondents M. Rimson & Co., Inc. and Chris Kovacevich shall be and hereby are jointly and severally liable for and shall pay to the Claimant Kenneth T. Hall the sum of **two thousand four hundred seventy five dollars (\$2,475)**.
2. Interest at the rate of 8% per annum is awarded on the above stated sum from and inclusive of February 1, 1994 to and inclusive of the date this award is paid in full.
3. Each party shall bear its own costs, expenses and fees incurred in this matter not specifically enumerated herein.

FORUM FEES

Pursuant to §43(c) of the NASD Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. ("NASD") shall **retain** the non-refundable filing fee in the amount of \$25 and shall **retain** as forum fees the simplified arbitration deposit in the amount of \$25 previously deposited with the NASD by the Claimant Kenneth T. Hall. Respondents M. Rimson & Co., Inc. and Chris Kovacevich shall be and hereby are jointly and severally liable for and shall pay to the

Claimant Kenneth T. Hall the sum of \$50 as reimbursement for the filing fees and forum fees assessed in this matter.

Pursuant to §45 of the NASD Code of Arbitration Procedure, the NASD shall assess the non-refundable member surcharge in the amount of \$100 against Respondent M. Rimson & Co., Inc. **Fees are payable to the National Association of Securities Dealers, Inc.**

Dated:

/s/ Thaddeus J. Tecza, Ph.D.

May 3, 1996

Thaddeus J. Tecza, Ph.D.

Public Arbitrator, Presiding Chair