

AWARD

NASD REGULATION, INC.

In the matter of the Arbitration Between

Name of Claimant(s)

Thomas S. Olmstead

Arbitration
No. 96-04092

Name of Respondent(s)

Mutual Securities, Inc.
Cowles, Sabol & Co., Inc.
Kendall Cameron

REPRESENTATION

For Claimant: Randy Barnard, Esq., O'Shea Barnard Martin P.S.,
Bellevue, Washington

For Respondents Mutual Securities, Inc. and Cowles, Sabol & Co.,
Inc.: Carl J. Carlson, Esq., Seattle, Washington

CASE INFORMATION

Statement of Claim filed: August 29, 1996

Claimant's Submission Agreement signed: August 30, 1996

Joint Statement of Answer filed by Respondents Mutual Securities,
Inc. and Cowles, Sabol & Co., Inc.: January 10, 1997

Submission Agreement signed by Respondents Mutual Securities, Inc.
and Cowles, Sabol & Co., Inc.: January 24, 1997

HEARING INFORMATION

Pre-Hearing Conference Date(s)/Session(s):
May 20, 1998 (one session)

Hearing Date(s)/Session(s): July 30, 1998 (one session)

Hearing Location: Seattle, Washington

CASE SUMMARY

Claimant alleged that on January 15, 1991, without Claimant's approval and contrary to Claimant's instructions, Claimant's account representative, Respondent Kendall Cameron, sold six hundred shares of Claimant's Microsoft stock and alleged that as a result of the unauthorized sale of Claimant's Microsoft stock, Claimant suffered financial loss. Claimant also alleged the following claims: 1) Violation of Responsibilities; 2) Improper Transaction; and 3) Negligence.

Respondents Mutual Securities, Inc. and Cowles, Sabol & Co., Inc. denied Claimant's allegations of wrongdoing and alleged that each and every transaction had been discussed with and approved by Claimant.

RELIEF REQUESTED

Claimant requested relief against Respondents as follows:

1. For award against Respondents, jointly and severally, for all losses sustained by Claimant as a result of Respondents' conduct, together with interest;
2. For award against Respondents, jointly and severally, to recover commissions paid as a result of the unauthorized trade;
3. For reasonable attorneys' fees, costs, and other damages as provided by state and federal securities laws; and
4. For such other and further relief as the arbitrators deem appropriate.

Respondents requested attorney's fees and costs, including the costs of making their witnesses available to testify at hearing.

OTHER ISSUES CONSIDERED AND DECIDED

Claimant's claims were originally filed in the Superior Court of the State of Washington in and for the County of King. Claimant's claims were referred to arbitration pursuant to the stipulation entered into among Claimant and Respondents Mutual Securities, Inc. and Cowles, Sabol & Co., Inc.

The parties have agreed that the Award in this matter may be executed in either counterpart copies or that a handwritten, signed Award may be entered. In either case, the parties have agreed to receive conformed copies of the Award while the originals remain on file with NASD Regulation, Inc. (NASD).

AWARD

After considering the pleadings, the testimony and the evidence presented at the hearing, the undersigned arbitrators have

decided in full and final resolution of the issues submitted for determination as follows:

1. Respondent Kendall Cameron is dismissed, without prejudice, as the NASD was not able to effectuate service with respect to Mr. Cameron.

2. All claims by Claimant against Respondents Mutual Securities, Inc. and Cowles, Sabol & Co., Inc. are dismissed.

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

FORUM FEES

Pursuant to Rule 10332(c) of the Code of Arbitration Procedure, the following forum fees are assessed: The NASD shall retain Claimant's hearing session deposit in the amount of \$400.00. Forum fees shall be split between Claimant and Mutual Securities, Inc. and Cowles, Sabol & Co., Inc. (Respondents) and are calculated as follows:

One pre-hearing session @ \$400.00/session	=	\$400.00
One hearing session @ \$400.00/session	=	\$400.00
Total fees assessed	=	\$800.00
Claimant's share (50%)	=	\$400.00
Credit for hearing deposit	=	\$400.00
Balance due	=	\$ 0.00
Respondents' share, jointly and severally (50%)	=	\$400.00
Balance due	=	\$400.00

Fees are payable to NASD Regulation, Inc.

OTHER FEES

Pursuant to Rule 10333 of the Code of Arbitration Procedure, Respondent Cowles, Sabol & Co., Inc. has paid to NASD the \$200.00 member surcharge previously invoiced.

ARBITRATORS


<u>Name</u>	<u>Public / Industry</u>
Robert M. Stein, Esq.	Public Arbitrator
John F. Lymburner, Esq.	Public Arbitrator
Donald C. Douglas	Industry Arbitrator

Concurring Arbitrators' Signatures

John F. Lymburner, Esq.

Donald C. Douglas

Dissenting Arbitrator's Signature



Robert M. Stein, Esq.

Date of Decision: 8-17-98

Date Served:

AUG 24 1998

Concurring Arbitrators' Signatures

John F. Symburner August 15, 1998
John F. Symburner, Esq.

Donald C. Douglas

Dissenting Arbitrator's Signature

Robert M. Stein, Esq.

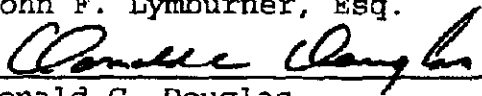
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John F. Lymburner, Esq.



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