

Award
NASD Regulation, Inc.

In the Matter of the Arbitration Between:

Young O. Kim, Claimant v. Waterhouse Securities, Inc., Allison B. Clago, and Calabasas Asset Holding Company, Inc. (fka Kennedy Cabot & Company), Respondents

Case Number: 99-01765

Hearing Site: Los Angeles, California

REPRESENTATION OF PARTIES

For Claimant Young O. Kim:

Young O. Kim
Pro Se
Hermosa Beach, California

For Respondent Calabasas Asset
Holding Company, Inc.:

George H. Kupper, Esq.
The Gebbia Group
Beverly Hills, California

CASE INFORMATION

Statement of Claim filed:

April 14, 1999

Claimant's Uniform Submission Agreement signed:

March 8, 1999

Joint Statement of Answer filed by Respondents
Waterhouse Securities, Inc. and Allison B. Clago:

July 6, 1999

Statement of Answer filed by Respondent Calabasas
Asset Holding Company, Inc.:

August 19, 1999

Respondent Calabasas Asset Holding Company, Inc.'s
Uniform Submission Agreement signed:

August 18, 1999

CASE SUMMARY

Claimant Young O. Kim alleged breach of fiduciary duty, fraud, negligent misrepresentation, violation of NASD Rules of Fair Practice, NYSE Rules and federal and state securities laws, and failure to supervise in connection with the purchase and sale of Bradlees, Inc. bonds.

Respondent Waterhouse Securities, Inc. denied the allegations of wrongdoing set forth in the

Claimant's Statement of Claim.

Respondent Calabasas Asset Holding Company, Inc. and Allison B. Clago denied the allegations of wrongdoing set forth in the Claimant's Statement of Claim.

RELIEF REQUESTED

Claimant Young O. Kim requested compensatory damages in the amount of \$31,000.00, special damages, lost profits, punitive damages, attorney's fees and costs.

Respondent Waterhouse Securities, Inc. requested that the claims set forth in the Claimant's Statement of Claim be dismissed in their entirety and costs.

Respondents Calabasas Asset Holding Company, Inc. and Allison B. Clago requested that the claims set forth in the Claimant's Statement of Claim be dismissed in their entirety. Respondent Allison B. Clago also requested that her record be expunged.

OTHER ISSUES CONSIDERED AND DECIDED

On February 16, 2000, Claimant Kim dismissed Respondent Allison B. Clago with prejudice.

On February 17, 2000, Claimant dismissed Respondent Waterhouse Securities, Inc. without prejudice.

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, and the post-hearing submissions (if any), the Arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

1. Claimant's claims are denied in their entirety.
2. Each party shall bear its own costs, including attorney's fees.
3. The Arbitrator recommends the expungement of all reference to the above captioned arbitration from Respondent Allison B. Clago's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notice to Members 99-09, Respondent Allison B. Clago must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.
4. All other relief not expressly granted is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Regulation, Inc. has received or will collect the non-refundable filing fees for each claim as follows:

Initial claim filing fee	= \$ 175.00
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Member Fees

Member fees are assessed to each member firm that is either a party in the matter or an employer of a respondent associated person at the time of the event of the dispute. Accordingly, the member firm Waterhouse Securities, Inc. is a party and the following fees are assessed:

Member Surcharge	= \$ 800.00
Pre-Hearing Process Fee	= \$ 600.00
<u>Hearing Process Fee</u>	<u>= \$ 1,000.00</u>
Total Member Fees	= \$ 2,400.00

Forum Fees and Assessments

The Arbitrator assessed a forum fee for each pre-hearing conference or hearing session conducted. A pre-hearing conference and hearing session is any meeting between the parties and the Chair. The following fees are assessed:

One Pre-hearing conference session with a single arbitrator @ \$ 450.00/session	= \$ 450.00
Pre-hearing conference: January 19, 2000 1 session	
Two Hearing sessions @ \$450.00/session	= \$ 900.00
Hearings: May 17, 2000 2 sessions	
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Total Forum Fees	= \$1,350.00

1. The Arbitrator has assessed \$ 675.00 of the forum fees to Claimant Kim.
2. The Arbitrator has assessed \$ 675.00 of the forum fees to Respondent Calabasas Asset Holding Company, Inc.

Administrative Costs

Administrative costs are expenses incurred because a party requested additional services beyond the normal administrative services. These additional services include, but are not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, security, and sundry other requests.

Respondent Calabasas Asset Holding Company, Inc., requested service:	8 photocopies	= \$ 4.00
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Fee Summary

1. Claimant, Young O. Kim, is charged with the following fees and costs:

Initial Filing Fee	= \$ 175.00
<u>Forum Fees</u>	<u>= \$ 675.00</u>
Total Fees	= \$ 850.00
<u>Less payments</u>	<u>= \$ (775.00)</u>
Balance Due NASD Regulation, Inc.	= \$ 75.00

2. Respondent Waterhouse Securities, Inc., is charged with the following fees and costs:

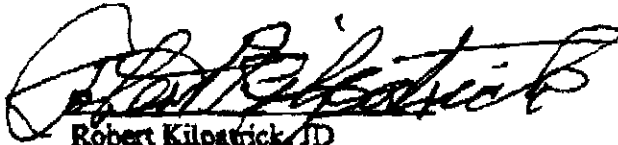
Member Fees	= \$ 2,400.00
<u>Less payments</u>	<u>= \$(1,400.00)</u>
Balance Due NASD Regulation, Inc.	= \$ 1,000.00

3. Respondent Calabasas Asset Holding Company, Inc. is charged with the following fees and costs:

Forum Fees	= \$ 675.00
<u>Administrative Costs</u>	<u>= \$ 4.00</u>
Total Fees	= \$ 679.00
<u>Less Payments</u>	<u>= \$(1,000.00)</u>
Refund Due Calabasas Asset Holding Company, Inc.	= \$ (321.00)

All balances are payable to NASD Regulation, Inc. and are due within 30 days of the Award's date of service.

Arbitrator's Signature


Robert Kilpatrick, JD
Public Arbitrator

5-27-00
Signature Date

May 23, 2000
Date of Service