

Award
NASD Regulation, Inc.

In the Matter of the Arbitration Between:

The Katz Family Foundation vs. Kennedy Cabot & Company n/k/a Calabasas Asset Holding Company

Case Number: 99-04064

Hearing Site: Chicago, Illinois

REPRESENTATION OF PARTIES

The Katz Family Foundation & Company ("Katz"): Bradley J. Waller, Esq., Klein, Stoddard, Buck & Waller, DeKalb, Illinois

Respondent Kennedy Cabot, n/k/a Calabasas Asset Holding Company ("Kennedy Cabot"): George Kupper, Esq., The Gebbia Group, Beverly Hills, California

CASE INFORMATION

Statement of Claim filed on or about: September 03, 1999

Claimant Katz signed the Uniform Submission Agreement: September 02, 1999

Statement of Answer filed by Respondent Kennedy Cabot, on or about: March 08, 2000

Respondent Kennedy Cabot signed the Uniform Submission Agreement: March 23, 2000

CASE SUMMARY

Claimant asserted the following causes of action: Failure to Execute Customer Order to Sell. The cause of action relate to the order execution of the DeK Gen/Seed B stock

Unless specifically admitted in its Answer Respondent Kennedy Cabot denied the allegations made in the Statement of Claim.

RELIEF REQUESTED

Claimant requested:

Compensatory Damages	\$31,320.00
Interest	unspecified
Attorneys' Fees	unspecified
Other Costs	unspecified

Respondent requested:

Other	Dismissal of Claim
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OTHER ISSUES CONSIDERED AND DECIDED

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

1. Respondent Kennedy Cabot & Company n/k/a Calabasas Asset Holding Company is hereby liable to The Katz Family Foundation in the amount of \$31,149.25 as compensatory damages
2. Respondent Kennedy Cabot & Company n/k/a Calabasas Asset Holding Company is hereby liable to The Katz Family Foundation for 5% interest that began to accrue on June 11, 1996 and ceases to accrue once the award is paid.
3. Any and all relief not specifically addressed is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Regulation, Inc. will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee	= \$150.00
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Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the events giving rise to the dispute. In this matter, the member firm is a party.

Member surcharge	= \$ 600.00
Pre-hearing process fee	= \$ 600.00
<u>Hearing process fee</u>	<u>= \$1,000.00</u>
Total	= \$2,200.00

Forum Fees and Assessments

The Panel assesses forum fees for each hearing session conducted. A hearing session is any meeting between the parties and the arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with a single arbitrator x \$450.00	= \$450.00
Pre-hearing conference: July 14, 2000	1 session

One (1) Hearing sessions x \$450.00	= \$450.00
<u>Hearing Date: November 08, 2000</u>	<u>1 session</u>
Total Forum Fees	= \$900.00

The Panel has assessed \$900.00 of the forum fees to Kennedy Cabot.

Fee Summary

1. Claimant Katz shall be and hereby is solely liable for:

<u>Initial Filing Fee</u>	= \$ 150.00
Total Fees	= \$ 150.00
<u>Less payments</u>	= \$ 600.00
Balance Due NASD Regulation, Inc.	= \$ 450.00

2. Respondent Kennedy Cabot shall be and hereby is solely liable for:

Member Fees	= \$2,200.00
<u>Forum Fees</u>	<u>= \$ 900.00</u>
Total Fees	= \$3,100.00
<u>Less payments</u>	<u>= \$ 600.00</u>
Balance Due NASD Regulation, Inc.	= \$2,500.00

Arbitrator's Signature

/s/ Kenneth N. Adamson

12/07/00

Kenneth N. Adamson, Esq.
Public Arbitrator, Presiding Chair

Signature Date

12/11/00

Date of Service (For NASD office use only)

Member surcharge	= \$ 600.00
Pre-hearing process fee	= \$ 600.00
Hearing process fee	= \$1,000.00
Total	= \$2,200.00

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Arbitrator's Signature

Kenneth N. Adamson
Kenneth N. Adamson, Esq.
Public Arbitrator, Presiding Chair

12/7/00
Signature Date

12/11/00
Date of Service (For NASD office use only)