

MSRB
MUNICIPAL SECURITIES RULEMAKING BOARD

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JUN 14 1989

MSRB

In the Matter of the Arbitration between :
:
:
:
Claimants, :
:
v. :
:
SWINK & COMPANY, INC., :
Respondent and Third-Party Claimant, :
:
v. :
:
J.J. KENNY DRAKE, INC. :
(f/k/a J.J. KENNY TRADING, INC.), :
Third-Party Respondent and :
Fourth-Party Claimant, :
:
v. :
:
THE BANK OF NEW YORK, :
Fourth-Party Respondent and :
Fifth-Party Claimant, :
:
v. :
:
MILLER & SCHROEDER FINANCIAL, INC., :
Fifth-Party Respondent. :
:

AWARD

MS 88-88

The UNDERSIGNED, pursuant to MSRB Rule G-35, Section 31, hereby state as follows:

We have been selected to act as arbitrators and to review and determine the captioned matter in controversy between the above Claimants, Respondent, Third-Party Respondent, Fourth-Party Respondent and Fifth-Party Respondent set forth in a submission of arbitration signed by Claimants on August 22, 1988, by Respondent on October 6, 1988, by Third-Party Respondent on January 16, 1989, by Fourth-Party Respondent on February 9, 1989, and, by Fifth-Party Respondent on February 16, 1989.

THEREFORE; after reviewing and considering the proofs of the parties, we have determined that in full and final settlement of the captioned matter the claims of the Claimants shall be dismissed.

AND; each of the parties shall bear its own costs, including attorney's fees.

AND; the \$200 previously deposited by Claimants to the MSRB shall be refunded to Claimants by the MSRB.

Patrick J. Halter
Patrick J. Halter

Robert L. Dennis
Robert L. Dennis

Kurt M. Schwartz
Kurt M. Schwartz

Dated: 6/12/89

STATE OF *Virginia*
COUNTY OF *Alexandria*

ss.:

On this *7th* day of *June*, 19*89*, before me personally appeared Patrick J. Halter to me known and known to me to be the individual described in and who executed the foregoing instrument and he duly acknowledged to me that he executed the same.

Shirley M. Yacobi

My Commission Expires October 9, 1990

STATE OF *Virginia*
COUNTY OF *Fairfax*

ss.:

On this *9th* day of *June*, 19*89*, before me personally appeared Robert L. Dennis to me known and known to me to be the individual described in and who executed the foregoing instrument and he duly acknowledged to me that he executed the same.

Jeffrey D. King

My Comm. exps. July 29, 1990

STATE OF *MARYLAND*
COUNTY OF *MONTGOMERY*

ss.:

On this *12th* day of *June*, 19*89*, before me personally appeared Kurt M. Schwartz to me known and known to me to be the individual described in and who executed the foregoing instrument and he duly acknowledged to me that he executed the same.

Catherine Siemerling

CATHERINE SIEMERLING
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 1, 1990