



NATIONAL GRAIN AND FEED ASSOCIATION

Arbitration Decisions

December 14, 1976

ARBITRATION CASE DECISION NUMBER 1527

PLAINTIFF: Cook Industries, Inc.
Memphis, Tennessee

DEFENDANT: Bartlett & Company
Kansas City, Missouri

The dispute involved a disagreement over the contract terms regarding weights for five barges of yellow corn.

The first argument presented by the Plaintiff was outdated according to section 5(a) of the Arbitration Rules. The actual first argument of the Plaintiff was presented only in its rebuttal, which took undue liberties with section 7 of the Arbitration Rules. Because of this, the Arbitration Committee considered only the first argument and the rebuttal. These documents presented an incomplete procedure for the Committee.

The Arbitration Committee therefore was unanimous in finding for the Defendant simply by default of the Plaintiff for disregarding the Arbitration Rules in the presentation of its case.

Arbitration Committee of the
National Grain and Feed Association

/s/ H.R. Schmid, Chairman
Midwestern Grain Co., Div. of Garnac Grain Co.
Kansas City, Missouri

/s/ Morris Champion
The Early & Daniel Co.
Cincinnati, Ohio

/s/ Robert Keenan
Keenan Cotton Gin and Grain Elevator
Dardanelle, Arkansas