

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between:
Sheldon R. Blum, (Claimant) vs. Olde Discount Corporation and Craig Wisbiski, (Respondents).

Case Number: 00-00055

Hearing Site: San Francisco, California.

REPRESENTATION OF PARTIES

Sheldon R. Blum: Represented himself.

Olde Discount Corporation and Craig Wisbiski: Timothy N. Will, Esq.
Albert & Will
Torrance, California

CASE INFORMATION

Statement of Claim filed on or about: January 7, 2000.

Claimant signed the Uniform Submission Agreement: December 28, 1999.

Statement of Answer filed by Respondents Olde Discount Corp. and Craig Wisbiski on or about:
April 3, 2000.

Olde Discount Corporation executed the Uniform Submission Agreement: February 21, 2000.

Craig Wisbiski signed the Uniform Submission Agreement: April 3, 2000.

CASE SUMMARY

Claimant alleges that the Respondents failed to execute a sell order placed by Claimant in Bottomline Technologies. The Respondents explanation for failing to execute this trade was based on an analysis of the account based on firm's margin maintenance requirements. Claimant further alleges that the Respondents changed the margin maintenance requirement for Bottomline Technologies and failed to notify Claimant of this change until several days later. The Claimant alleges that the Respondents have breached the fiduciary duty owed him by failing to honor his earlier trade.

The Respondents denied the allegations made in the Statement of Claim. The Respondents argue that the Claimant never placed the trade at issue. The Respondents further argue that the Claimant had received several margin maintenance calls that he did not respond to which subsequently resulted sell outs by the firm to cover Claimant's positions.

RELIEF REQUESTED

Claimants requested:

Compensatory Damages	\$49,573.81
Punitive Damages	\$50,000.00
Forum Fees	\$975
Other Costs	Subject to proof.

Respondents requested:

Expungement of Craig Wisbiski's CRD record.

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, and the post-hearing submissions (if any), the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. The Claimant is awarded and Respondent Olde Discount Corporation shall pay to Claimant the sum of \$4,492.23;
2. Claimant's request for punitive damages is denied;

3. All other claims in the Statement of Claim are dismissed;
4. Each side to bear their own costs and expenses, including attorneys' fees.
5. The panel recommends the expungement of all reference to the above captioned arbitration from Respondent Craig Wisbiski's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notice to Members 99-09, Respondent Craig Wisbiski must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Initial claim filing fee	= \$275
--------------------------	---------

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. In this matter Olde Discount Corporation, the member firm, is a party.

Member surcharge	= \$1,000
------------------	-----------

Pre-hearing process fee	= \$ 600
-------------------------	----------

Hearing process fee	= \$1,500
---------------------	-----------

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 arbitrator(s), including a pre-hearing conference with the arbitrator(s), that lasts four (4) hours or less. Fees associated with these proceedings are:

Two (2) Pre-hearing session(s) with Panel x \$750	= \$1,500
---	-----------

Pre-hearing conference(s): September 25, 2000 1 session
January 12, 2000 1 session

Four (4) Hearing sessions x \$750 = \$3,000

Hearing Date(s):	February 13, 2001	2 sessions
	February 14, 2001	2 sessions

Total Forum Fees = \$4,500

The Panel has assessed all forum fees to Olde Discount Corporation.

Fee Summary

- 1. Claimant Sheldon R. Blum is solely liable for:**

Initial Filing Fee	= \$225
Total Fees	= \$225
Less payments	= \$975
Balance Due NASD Dispute Resolution, Inc.	= <\$750>

2. Respondent Olde Discount Corporation is solely liable for:

Member Fees	= \$3,100
Forum Fees	= \$4,500
Total Fees	= \$7,600
Less payments	= \$3,500
Balance Due NASD Dispute Resolution, Inc.	= \$4,100

All balances are due and payable to NASD Dispute Resolution, Inc.

NASD Dispute Resolution, Inc.
Arbitration No. 00-00055
Award Page 5 of 5

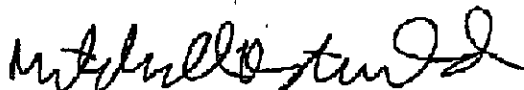
Concurring Arbitrators' Signature(s)

Laurel Littman Gothelf, MPH
Public Arbitrator, Presiding Chair

Signature Date

David J. Anderson
Public Arbitrator

Signature Date



Mitchell S. Oswald, Esq.
Industry Arbitrator

4-4-01

Signature Date

Date Served:
APR 05 2001

NASD Dispute Resolution, Inc.
Arbitration No. 00-00055
Award Page 5 of 5

Concurring Arbitrators' Signature(s)



Laurel Littman Gothelf, MPH
Public Arbitrator, Presiding Chair

4-4-01
Signature Date

David J. Anderson
Public Arbitrator

Signature Date

Mitchell S. Ostwald, Esq.
Industry Arbitrator

Signature Date

Date Served:

APR 05 2001