

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between:

Mychal S. Lahey, (Claimant) vs. Ameritrade, Inc., (Respondent)

Case Number: 00-00548

Hearing Site: San Francisco, California.

REPRESENTATION OF PARTIES

Mychal S. Lahey: Represented himself, pro se.

Ameritrade, Inc.: James J. Vihstadt, Esq., Ameritrade, Inc., Bellevue, Nebraska.

CASE INFORMATION

Statement of Claim filed on or about: February 8, 2000.

Claimant signed the Uniform Submission Agreement: April 19, 2000.

Statement of Answer filed on or about: May 12, 2000.

Ameritrade, Inc. executed the Uniform Submission Agreement: May 12, 2000.

CASE SUMMARY

Claimant asserted the Respondent incorrectly notified him that an order to short Qcom shares had been canceled. Upon receiving this notice Claimant made the purchase of the Qcom shares at another broker. Respondent subsequently notified Claimant that the order had in fact gone through. Claimant's damages arose when he was forced to buy in at a higher price to cover the short sale.

Respondent argued that the Claimant never canceled his order but simply made edits to the order parameters. The Respondent further argues that the Claimant was notified of the execution in a timely fashion. Finally, as the trade executed at the limit price specified by the Claimant, the Respondent requests that the Statement of Claim be dismissed.

RELIEF REQUESTED

Claimant requested:

Compensatory Damages

\$15,182.00

Other Costs

Unspecified

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

1. The Claimant is awarded and Respondent shall pay to Claimant the sum of \$14,266.13;
2. Each side to bear their own costs and expenses, including attorneys' fees.

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 = \$125

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 event giving rise to the dispute. In this matter Ameritrade, Inc., the member firm, is a party.

Member surcharge = \$400

Forum Fees and Assessments

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

One (1) Pre-hearing session with a single arbitrator x \$450 = \$450

Pre-hearing conference: October 24, 2000 1 session

One (1) Hearing session x \$450 = \$450

Hearing Date(s): December 14 1 session

Total Forum Fees = \$900

1. The Arbitrator has assessed \$450 of the forum fees to Mychal Lahey.

2. The Arbitrator has assessed \$450 of the forum fees to Ameritrade, Inc.

Fee Summary

1. Claimant is solely liable for:

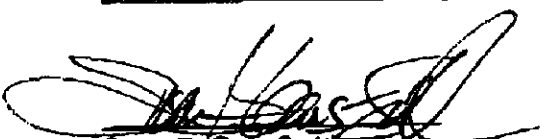
Initial Filing Fee	= \$125
Forum Fees	= \$450
Total Fees	= \$575
Less payments	= \$575
Balance Due NASD Dispute Resolution, Inc.	= \$ 0

2. Respondent is solely liable for:

Member Fees	= \$400
Forum Fees	= \$450
Total Fees	= \$850
Less payments	= \$400
Balance Due NASD Dispute Resolution, Inc.	= \$450

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

Concurring Arbitrator's Signature


Susan B. Gans-Smith
Public Arbitrator, Presiding Arbitrator

1-2-01
Signature Date

Date Served:

JAN 03 2001