

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 00-00800

George V. Henel and Sharon A. Henel, Claimants vs. Brown & Company Securities Corporation, Respondent.

ATTORNEYS:

Claimants George V. Henel and Sharon A. Henel ("Claimants"), appeared Pro Se., Buffalo, NY.

For Respondent Brown & Company Securities Corporation, ("Respondent"), appeared in-house counsel, Barry S. Fischer, Esq., Boston, MA.

DATE FILED: February 23, 2000

CASE SUMMARY: Claimants alleged that they placed an order to sell 1000 shares of Phelps Dodge ("PD") and subsequently cancelled the order. Claimant alleged that Respondent never contacted them to confirm the order was not cancelled as is the standard procedure. Claimants maintained that when they checked their account the following day it showed that they still owned the share. Claimants maintained that later while attempting to sell the shares they were informed that they had sold the shares the previous day.

Claim Data

Claim: \$5,593.44
Interest: Unspecified

Other: Unspecified

Award Data

Award: \$4,250.00
Interest: at the rate of 9% per annum from 2/4/99 to date of award.
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is liable and shall pay to the Claimants \$4,250.00. 2) Respondent is liable and shall pay to the Claimants interest at the rate of 9% per annum from 2/4/99 to date of the award. 3) All other relief requests are denied. 4) The \$325.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the Claimants, shall be retained by NASD Dispute Resolution, Inc.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent has paid to NASD Dispute Resolution, Inc. the \$300.00 Member Surcharge previously invoiced.

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Award 00-00800

AFFIRMATION

I, Howard B. Cohen, do hereby affirm, pursuant to article 7507 of the Civil Practice law and Rules, that I am the individual described herein, and who executed this instrument which is my award.

A handwritten signature in black ink, appearing to read 'Howard B. Cohen', written over a horizontal line.

Howard B. Cohen

October 18, 2000

Date of Award