

AWARD
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between

DLJ Direct, Inc., n/k/a CFSB Direct, Inc.

and

00-03456
Southfield, Michigan

Martin C. Nwosu
Blessing B. Nwosu

REPRESENTATION OF PARTIES

DLJ Direct, Inc., n/k/a CFSB Direct, Inc. ("Claimant") was represented by Caroline K. Hall, Esq., and Matthew D. Parrott, Esq., Rosenman & Colin, LLP.

Respondent Martin C. Nwosu did not appear.

Respondent Blessing B. Nwosu did not appear.

CASE INFORMATION

The Statement of Claim was filed on or about August 8, 2000. Submission Agreement of Claimant DLJ Direct, Inc. was signed on August 8, 2000, by Joe Muskatel.

Claimant's Motion for Entry of Default Judgment was filed on or about January 25, 2001.

No Statement of Answer was filed by Respondent Martin C. Nwosu.

No Statement of Answer was filed by Respondent Blessing B. Nwosu.

CASE SUMMARY

Claimant asserted that Respondents failed to repay a debit balance in their on-line trading account. The cause of action relates to the alleged short sale of 2000 shares of Skymall in Respondents' account resulting in a margin call.

RELIEF REQUESTED

Claimant requested an award in the amount of \$57,520.05, plus interest, costs, attorney's fees, and such other and further relief as the Panel may find appropriate.

OTHER ISSUES CONSIDERED & DECIDED

Upon review of the file and the representations made by/on behalf of the Claimant, the undersigned arbitrators have determined that Respondents Martin C. Nwosu and Blessing B. Nwosu have been properly served with the Statement of Claim pursuant to Rule 10302 and Rule 10314 of the NASD Code of Arbitration Procedure (the "Code"). The undersigned arbitrators have also determined that Respondents Martin C. Nwosu and Blessing B. Nwosu have received due notice of the hearing as required under Rule 10315 of the Code and that arbitration of the matter would proceed pursuant to Rule 10318 of the Code.

Respondents Martin C. Nwosu and Blessing B. Nwosu did not file with the NASD Dispute Resolution, Inc. properly executed submissions to arbitration but are required to submit to arbitration pursuant to Rule 10301 of the Code and pursuant to the Customer Agreement (which includes the Cash and Margin Account Agreements) and are bound by the determination of the arbitration panel on all issues submitted.

The Panel denied Claimant's Motion for Entry of Default Judgment on or about August 1, 2001.

The party present has agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered. In either case, the party has agreed to receive conformed copies of the award while the original(s) remain on file with the NASD Dispute Resolution, Inc. (the "NASD").

AWARD

After considering the pleadings, the testimony, and the evidence presented at the hearing, the undersigned arbitrators have decided in full and final resolution of the issues submitted for determination as follows:

- 1.) Respondents, Martin C. Nwosu and Blessing B. Nwosu, are jointly and severally liable for and shall pay to Claimant DLJ Direct, Inc., the sum of \$63,106.53 in compensatory damages, which includes accrued interest through July 27, 2001;
- 2.) Respondents, Martin C. Nwosu and Blessing B. Nwosu, are jointly and severally liable for and shall pay to Claimant DLJ Direct, Inc., the sum of \$10,000.00 in attorney's fees. In making this Award of attorney's fees, the undersigned Arbitrators find that they have the authority to award attorney's fees pursuant to the Customer Agreement;
- 3.) That other than Forum Fees which are specified below, the parties shall each bear their own costs and expenses incurred in this matter;
- 4.) That any relief not specifically enumerated, is hereby denied with prejudice.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Initial claim filing fee = \$1,000.00

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 persons at the time of the events giving rise to the dispute. In this matter, the member firm is DLJ Direct, Inc.

Member surcharge = \$1,000.00

Pre-hearing process fee = \$ 600.00

Hearing process fee = \$1,500.00

Forum Fees and Assessments

The Arbitration 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:

One (1) Pre-hearing session with Panel x \$750.00 = \$ 750.00

Pre-hearing conference: April 12, 2001 1 session

One (1) Hearing session x \$750.00 = \$ 750.00

Hearing Date: September 11, 2001 1 session

Total Forum Fees = \$1,500.00

The Arbitration Panel has assessed \$1,500.00 of the forum fees jointly and severally to Martin C. Nwosu and Blessing B. Nwosu.

Fee Summary

Claimant, DLJ Direct, Inc., is liable for:

Initial Filing Fee = \$ 1,000.00

Member Fees = \$ 3,100.00

Forum Fees = \$ 0.00

Total Fees = \$ 4,100.00

Less payments = \$ 3,350.00

Balance Due NASD Dispute Resolution, Inc. = \$ 750.00

Respondents, Martin C. Nwosu and Blessing B. Nwosu, are jointly and severally liable for:

Forum Fees	= \$ 1,500.00
Total Fees	= \$ 1,500.00
Less payments	= \$ 0.00
Balance Due NASD Dispute Resolution, Inc.	= \$ 1,500.00

All balances are due to NASD Dispute Resolution, Inc.

ARBITRATION PANEL

Frederick F. Fordon - Public, Presiding Chair
G. Philip Dietrich, Esq. - Public Arbitrator
Ronald S. Longhofer, Esq. - Non-Public Arbitrator

Concurring Arbitrators:

/s/ Frederick F. Fordon
Frederick F. Fordon
Public Arbitrator, Presiding Chair

10/09/01
Signature Date

/s/ G. Philip Dietrich, Esq.
G. Philip Dietrich, Esq.
Public Arbitrator

10/09/01
Signature Date

/s/ Ronald S. Longhofer
Ronald S. Longhofer, Esq.
Non-Public Arbitrator

10/08/01
Signature Date

10/10/01
Date of Service (For NASD office use only)

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NASD Dispute Resolution, Inc.
Arbitration # 00-03456
Award Page 4 of 4

Respondents, Martin C. Nwosu and Blessing B. Nwosu, are jointly and severally liable for:

Forum Fees	= \$ 1,500.00
Total Fees	= \$ 1,500.00
Less payments	= \$ 0.00
Balance Due NASD Dispute Resolution, Inc.	= \$ 1,500.00

All balances are due to NASD Dispute Resolution, Inc.

ARBITRATION PANEL

Frederick F. Fordon - Public, Presiding Chair
G. Philip Dietrich, Esq. - Public Arbitrator
Ronald S. Longhofer, Esq. - Non-Public Arbitrator

Concurring Arbitrators:

Frederick F. Fordon
Frederick F. Fordon
Public Arbitrator, Presiding Chair

10/9/01
Signature Date

G. Philip Dietrich, Esq.
G. Philip Dietrich, Esq.
Public Arbitrator

Signature Date

Ronald S. Longhofer, Esq.
Ronald S. Longhofer, Esq.
Non-Public Arbitrator

Signature Date

Date of Service (For NASD office use only)

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NASD REGULATION

008

NASD Dispute Resolution, Inc.
Arbitration # 00-03458
Award Page 4 of 4

Respondents, Martin C. Nwosu and Blessing B. Nwosu, are jointly and severally liable for:

<u>Forum Fees</u>	= \$ 1,500.00
<u>Total Fees</u>	= \$ 1,500.00
<u>Less payments</u>	= \$ 0.00
<u>Balance Due NASD Dispute Resolution, Inc.</u>	= \$ 1,500.00

All balances are due to NASD Dispute Resolution, Inc.

ARBITRATION PANEL

Frederick F. Fordon - Public, Presiding Chair
G. Phillip Dietrich, Esq. - Public Arbitrator
Ronald S. Longhofer, Esq. - Non-Public Arbitrator

Concurring Arbitrators:

Frederick F. Fordon
Public Arbitrator, Presiding Chair

Signature Date

G. Phillip Dietrich, Esq.
Public Arbitrator

Signature Date


Ronald S. Longhofer, Esq.
Non-Public Arbitrator

10/8/01
Signature Date

Date of Service (For NASD office use only)

10/08/01 MON 10:05 FAX

NASD REGULATION

NASD Dispute Resolution, Inc.
Arbitration # 00-03458
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Respondents, Martin C. Nwosu and Blessing B. Nwosu, are jointly and severally liable for:

Forum Fees	= \$ 1,500.00
Total Fees	= \$ 1,500.00
Less payments	= \$ 0.00
Balance Due NASD Dispute Resolution, Inc.	= \$ 1,500.00

All balances are due to NASD Dispute Resolution, Inc.

ARBITRATION PANEL

Frederick F. Fordon - Public, Presiding Chair
G. Philip Dietrich, Esq. - Public Arbitrator
Ronald S. Longhofer, Esq. - Non-Public Arbitrator

Concurring Arbitrators:

Frederick F. Fordon
Public Arbitrator, Presiding Chair



G. Philip Dietrich, Esq.
Public Arbitrator

Signature Date

10/9/01

Signature Date

Ronald S. Longhofer, Esq.
Non-Public Arbitrator

Signature Date

Date of Service (For NASD office use only)