

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 00-03717

Linda Rassel, Claimant vs. Thomas Repaskey and McDonald & Company Securities, Inc.,
Respondents.

ATTORNEYS:

For Claimant appeared Todd S. Selin, Esq., of the firm Scott & Associates, P.C., Lansing, MI.

For Respondents appeared Ellen B. Young, Esq., of the firm Ulmer & Berne LLP, Cleveland,
OH.

DATE FILED: August 25, 2000.

CASE SUMMARY: Claimant alleged that Respondents made purchases for her account that exceeded her risk tolerance and were unsuitable for her investment objectives. Claimant further alleged that Respondents participated in churning, by making excessive trades on her account in light of her investment objectives. Claimant also maintained that Respondents executed these trades without her authorization. Claimant further contended that McDonald failed to properly respond to her complaints regarding respondent Thomas Repaskey. Claimant stated that Respondents' actions caused her to incur a financial loss.

Claim Data

Claim: \$25,000.00

Filing Fees: \$.00

Interest: \$.00

Attorney fees: \$2,000.00

Award Data

Award: \$25,000.00

Filing Fees: \$425.00

Interest: Prime rate from
May 1, 1998, until payment of the
award. This interest is granted on
\$14,367.38 of the damages award.

Attorney Fees: \$.00

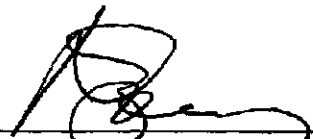
AWARD: The undersigned Arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents are jointly and severally liable and shall pay to the Claimant \$25,000.00. 2) Respondents are jointly and severally liable and shall pay to the Claimant interest at the prime rate from May 1, 1998 to the date of payment of the award. This interest is granted on \$14,367.38 of the damages awarded. 3) All other relief requests are denied. 4) All requests for attorney fees are denied. 5) The \$425.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the Claimant, shall be retained by NASD Dispute Resolution, Inc. 5) Respondents are jointly and severally liable and shall pay Claimant \$425.00 as reimbursement of the filing fee.

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OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent McDonald has paid to NASD Dispute Resolution, Inc. the \$400.00 Member Surcharge previously invoiced.

AFFIRMATION

I, E. Daniel Grady, do hereby affirm, upon my oath as Arbitrator that I am the individual described herein who executed this instrument, which is my oath and award.



E. Daniel Grady

May 17, 2001
Date of award