

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION, INC.**

CASE: 00-03736

Charles Schwab & Company, Inc., Claimant vs. Mario Santangelo, Respondent.

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**ATTORNEYS:**

For Claimant appeared in-house counsel, Richard A. Karoly, Esq., San Francisco, CA.

Respondent did not respond to the Statement of Claim

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DATE FILED: August 28, 2000

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**CASE SUMMARY:** Claimant inadvertently transferred 1000 shares of Oracle Corp. stock which was sold one week prior causing an overpayment in respondent's account which he has failed to repay.

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**ARBITRATOR'S REPORT:** Respondent, clearly, has been unjustly enriched by \$29,855.81. The Claimant is entitled to be reimbursed up to \$25,000.00 plus interest under the simplified arbitration rules.

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**Claim Data**

Claim: \$25,000.00  
Interest: at the rate of 8% p.a.  
from 6/1/00 through the present,  
Costs: unspecified  
Other: unspecified

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**Award Data**

Award: \$25,000.00  
Interest: 8% p.a. from 6/1/00  
until present.  
Costs: \$1,050.00  
Other: denied

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**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 Claimant \$25,000.00. 2) Respondent is liable and shall pay to the claimant interest at the rate of 8% p.a. from June 1, 2000 until present. 3) All other relief requests are denied. 4) The \$1,050.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the claimant, shall be retained by NASD Dispute Resolution, Inc. 5) Respondent is liable and shall pay claimant \$1,050.00 as reimbursement of the filing fee.

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

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**OTHER ISSUES:** Pursuant to the By-Laws of NASD Dispute Resolution, the Arbitrator determined that Respondent was served notice of the Statement of Claim by regular mail and is therefore bound by the Arbitrator's ruling and determination.

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Award 00-03736

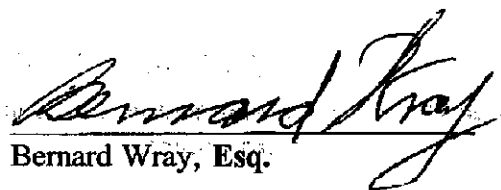
Bernard Wray

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Sole Public Arbitrator

**AFFIRMATION**

I, Bernard Wray, Esq., 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.

  
Bernard Wray, Esq.

June 28, 2001  
Date of Award

July 5, 2001  
Date of Service (for NASD office use only)