

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

CASE: 00-04170

Dave Scott, Claimant vs. H & R Block Financial Advisors and W. Elliott Grigg, Respondents.

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**ATTORNEYS:**

Claimant appeared Pro Se, Bartlett, IL.

For Respondents appeared in-house counsel, Laura M. Nelson, Esq., Detroit, MI.

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**DATE FILED:** September 22, 2000

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**ARBITRATOR'S REPORT:** Weight of the evidence is that on or about August 2, 2000, no trade order to purchase Inverness Medical Technology stock was appropriately or adequately communicated by Claimant to his broker.

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**CASE SUMMARY:** Claimant alleged that respondents failed to execute a trade as he instructed. Claimant requested that the broker, respondent W. Elliott Grigg, invest his monies in Inverness Medical Technology; instead, he invested it in the Olde Custodian Money Market Fund resulting in lost profits in his account.

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**Claim Data**

Claim: \$12,700.00

Filing Fees: \$425.00

Other: Allow full transactions in Claimant's account.

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**Award Data**

Award: \$.00

Filing Fees: \$.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) The claims of claimant are dismissed in their entirety. 2) All other relief requests are denied. 3) The \$425.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the Claimant, shall be retained by NASD Dispute Resolution, Inc.

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**OTHER FEES:** Pursuant to Rule 10333 of the Code, Respondent, H & R Block Financial Advisors, has paid to NASD Dispute Resolution, Inc. the \$400.00 Member Surcharge previously invoiced.

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**OTHER ISSUES:** The Claimant made a Motion to Preclude Respondents' Answer to the Statement of Claim pursuant to Rule 10314(b)(2) of the NASD Code of Arbitration Procedure. Having considered the matter and the arguments presented, the Motion of Claimant to Preclude Respondents' Answer is denied since an effort was made to comply, the delay of one day was minimal and there was no showing of prejudice.

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**AFFIRMATION**

I, Raymond P. Buschmann, Esq., 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.



Raymond P. Buschmann, Esq.

April 30, 2001

Date of award