

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between: Ibrahim Alwareeth and Ayida Mohamed, Claimants v.
Scottrade, Inc., Respondent

Case Number: 00-04362

Hearing Site: San Francisco, California

REPRESENTATION OF PARTIES

For Claimants:

Ibrahim Alwareeth, Pro Se
Ayida Mohamed, Pro Se
Petaluma, California

For Respondent:

Mark Finnegan
Scottrade, Inc.
St. Louis, Missouri

CASE INFORMATION

Statement of Claim filed: September 20, 2000

Claimants' Uniform Submission Agreements signed: September 20, 2000

Statement of Answer filed by Respondent: December 27, 2000

Respondent's Uniform Submission Agreement signed: December 22, 2000

CASE SUMMARY

Claimants alleged breach of contract, breach of fiduciary duty, negligence, failure to supervise and failure to execute.

Respondent denied the allegations of wrongdoing set forth in the Claimants' Statement of Claim.

RELIEF REQUESTED

Claimants requested \$13,500.00 in actual damages and \$36,500.00 in punitive damages.

Respondent requested dismissal of the Claimants' Statement of Claim in its entirety.

OTHER ISSUES CONSIDERED AND DECIDED

The parties agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

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

- 1) Claimants are awarded \$6,750.00 in compensatory damages. This amount was arrived at as follows: [9,000 shares of Terex Corp. (TEX) stock @ (the Opening Bid Price on February 28, 2000 less the Execution Price Received)] less the Account Adjustment Previously Received.
$$= [9,000 \times (\$135/8 - \$121/2)] - \$3,375.00$$
$$= [9,000 \times \$11/8] - \$3,375.00$$
$$= \$10,125.00 - \$3,375.00$$
$$= \$6,750.00$$
- 2) Respondent shall reimburse Claimants in the amount of \$175.00 for the filing fee paid by Claimants at the onset of this arbitration.
- 3) All claims for punitive damages are denied.
- 4) Each party shall bear its own costs, including attorney's fees.
- 5) All other relief not expressly granted is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution, Inc. received or will collect the non-refundable filing fees for each claim as follows:

Initial claim filing fee	= \$ 175.00
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Member Fees

Member fees are assessed to each member firm that is either a party in the matter or an employer of a respondent associated person at the time of the events which gave rise to the dispute, claim,

or controversy. Accordingly, the member firm Scottrade, Inc. is a party and the following fees are assessed:

Member Surcharge	= \$ 800.00
Pre-Hearing Process Fee	= \$ 1,000.00
<u>Hearing Process Fee</u>	= \$ 600.00
Total Member Fees	= \$ 2,400.00

Forum Fees and Assessments

The Panel assessed a forum fee for each pre-hearing conference or hearing session conducted. A pre-hearing conference and hearing session is any meeting between the parties and the Chair/Panel. The following fees are assessed:

(1) Pre-hearing conference session with the Panel @ \$600.00/session = \$ 600.00
Pre-hearing conference(s): March 26, 2001 1 session

(1) Hearing session @ \$600.00/session = \$ 600.00
Hearing(s): June 19, 2001 1 session

Total Forum Fees = \$ 1,200.00

1. The Panel assessed \$900.00 of the forum fees to Respondent Scottrade, Inc.
2. The Panel assessed \$300.00 of the forum fees jointly and severally to Claimants.

Fee Summary

1. Claimants are charged jointly and severally with the following fees and costs:

Initial Filing Fee	= \$ 175.00*
<u>Forum Fees</u>	= \$ 300.00
Total Fees	= \$ 475.00
<u>Less Payments</u>	= \$(625.00)
Refund Due Claimants	= \$(150.00)

* Respondent shall reimburse Claimants for the \$175.00 non-refundable filing fee

2. Respondent is charged with the following fees and costs:

Member Fees	= \$ 2,400.00
<u>Forum Fees</u>	= \$ 900.00
Total Fees	= \$ 3,300.00
<u>Less Payments</u>	= \$ (1,400.00)
Balance Due NASD Dispute Resolution, Inc.	= \$ 1,900.00

All balances are payable to NASD Dispute Resolution, Inc. and are payable upon the receipt of the Award pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

Julie D. Soo	-	Public Arbitrator, Presiding Chair
Susan B. Gans-Smith	-	Public Arbitrator
Paul M. Foster	-	Non-Public Arbitrator

Concurring Arbitrators' Signature(s)

Julie D. Soo
Julie D. Soo
Chair, Public Arbitrator

7/16/01
Signature Date

Susan B. Gans-Smith
Public Arbitrator

Signature Date

Paul M. Foster
Industry/Non-Public Arbitrator

Signature Date

Date Served:

JUL 18 2001

Date of Service

ARBITRATION PANEL

Julie D. Soo	-	Public Arbitrator, Presiding Chair
Susan B. Gans-Smith	-	Public Arbitrator
Paul M. Foster	-	Non-Public Arbitrator

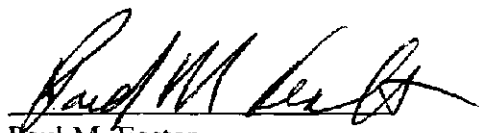
Concurring Arbitrators' Signature(s)

Julie D. Soo
Chair, Public Arbitrator

Signature Date

Susan B. Gans-Smith
Public Arbitrator

Signature Date



Paul M. Foster
Industry/Non-Public Arbitrator



Signature Date

Date Served:

JUL 18 2001

Date of Service