

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

CASE: 00-04770

Charles Schwab & Co., Inc., Claimant vs. John L. Wyatt, Respondent.

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**ATTORNEYS:**

Claimant, Charles Schwab & Co., Inc., ("Claimant"), appeared through its in-house-counsel, Edmund V. Saucedo, Esq., San Francisco, CA.

Respondent, John L. Wyatt, ("Respondent"), did not respond to the Statement of Claim.

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**DATE FILED:** October 27, 2000

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**CASE SUMMARY:** Claimant alleged that Respondent failed to repay a debit balance created in the account from an unsolicited, good-till-canceled order to purchase 2,000 shares of Ixalt Inc. Claimant maintained that as a result of Respondent's action, it suffered a financial loss.

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**Claim Data**

Claim: \$17,120.37  
Interest: 10% per annum from and after  
4/1/00 to payment of award.  
Filing Fees: \$1,500.00  
Other: unspecified

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**Award Data**

Award: \$17,120.37  
Interest: 10% per annum from  
4/1/00 to 3/30/01 totaling \$1,712.04  
Filing Fees: \$1,050.00  
Other: \$.00

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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 \$17,120.37. 2) Respondent is liable and shall pay to the Claimant interest at the rate of 10% per annum from 4/1/00 to 3/30/01 totaling \$1,712.04 as per term of Customers Agreement. 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.

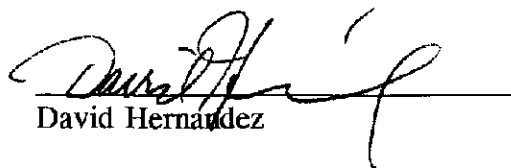
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**OTHER ISSUES:** Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that respondent was served notice of the Statement of Claim, Overdue Notice and Notification of Arbitrator by regular mail, and is therefore bound by the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

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**AFFIRMATION**

I, David Hernandez, 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.

  
David Hernandez

06/15/01  
Date of award