

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE:01-02546

Andres Ordonez, claimant vs. E*Trade Securities, Inc., respondent.

ATTORNEYS:

For Claimant appeared David Harrison, Esq., of the firm Spivak & Harrison, Los Angeles, CA.

For Respondent appeared Christopher B. Boyce, compliance analyst, Rancho Cordova, CA.

DATE FILED: May 15, 2001

CASE SUMMARY: Claimant alleged that respondent made an unauthorized sell order of Art Technology Group thereby causing a loss to his account.

Claim Data

Claim: \$10,938.00
Punitive: \$14,062.00
Interest: unspecified
Attorney Fees: \$4,375.00
Filing Fees: unspecified
Other: unspecified

Award Data

Award: \$10,687.50
Punitive: \$.00
Interest: \$.00
Attorney Fees: \$4,375.00
Filing Fees: \$425.00
Other: \$.00

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 \$10,687.50. 2) Respondent is liable and shall pay to the claimant attorney's fees in the amount of \$4,375.00, as per claimant's request. 3) All requests for punitive damages are denied. 4) All requests for interest are denied. 5) All other relief requests are denied. 6) The \$425.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the claimant, shall be retained by NASD Dispute Resolution, Inc. 7) Respondent is liable and shall pay claimant \$425.00 as reimbursement of the filing fee.

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

OTHER ISSUE: Claimant's Motion to Bar Respondent Answer was denied by the arbitrator.

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Award 01-02546

Pamela H. Roderick

Sole Public Arbitrator

AFFIRMATION

I, Pamela H. Roderick, 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.


Pamela H. Roderick


Signature Date

November 1, 2001

Date of Service (For NASD-DR office use only)