

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

CASE:01-02553

Charles Schwab & Co., Inc., claimant vs. Jay L. Gabbert and Kelly B. Gabbert, respondents.

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**ATTORNEYS:**

For Claimant appeared Edmund V. Saucedo, Esq., in-house counsel, San Francisco, CA.

Respondents did not submit a response to the Statement of Claim.

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DATE FILED: May 15, 2001

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**CASE SUMMARY:** Claimant alleged that respondents failed to repay the debit balance on their margin account.

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**Claim Data**

Claim: \$15,145.71  
Interest: at 8.375% per annum  
from December 8, 1998 to  
the present.

Filing Fees: \$1,500.00

Other: unspecified

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**Award Data**

Award: \$15,145.71  
Interest: at 8.375% per annum  
from December 8, 1998 to  
September 11, 2001

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) Respondents are jointly and severally liable and shall pay to the claimant \$15,145.71. 2) Respondents are jointly and severally liable and shall pay to the claimant interest at the rate of 8.375% per annum from December 8, 1998 until September 11, 2001. 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) Respondents are jointly and severally 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 Charles Schwab & Co., Inc. 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 respondents Jay L. Gabbert and Kelly B. Gabbert were served notice of the Statement of Claim by regular mail, Overdue Notice and Notification of Arbitrator by certified mail, and is therefore bound by the arbitrator's ruling and determination.

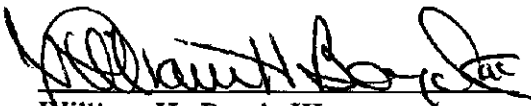
Page Two  
Award 01-02553

William H. Boyd, III

Sole Public Arbitrator

**AFFIRMATION**

I, William H. Boyd, III, 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.

  
William H. Boyd, III

10-15-01  
Signature Date

October 23, 2001  
Date of Service (For NASD-DR office use only)