

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE:01-02562

Morgan Keegan & Company, Inc., Claimant/Counterclaim Respondent vs. Daniel C. Holloran, Respondent/Counterclaim Claimant.

ATTORNEYS:

Claimant, Morgan Keegan & Company, Inc., appeared through its in-house counsel, Michael K. Henry, Esq., Memphis, TN.

Respondent, Daniel C. Holloran, appeared pro se, Franklin, TN.

DATE FILED: May 15, 2001

CASE SUMMARY: Claimant/Counterclaim Respondent alleged that it was authorized by Respondent/Counterclaim Claimant to make the following purchases in his account: 10 contracts of Finisar Corporation Call Options (Feb. '01 @25) at 5 3/4; 20 contracts of Brocade Communication Systems Call Options (Jan. '01 @105) at 3 1/2; 20 contracts of McData Corporation Call Options (Jan. '01 @60) at 5 5/8; and 10 contracts of Brocade Communications Systems Call Options (Jan. '01 @ 105) at 2. Claimant/Counterclaim Respondent further alleged that subsequent to the purchases, Respondent/Counterclaim Claimant sold the positions an unpaid debit balance remains in Respondent/Counterclaim Claimant's account.

COUNTERCLAIM SUMMARY: Respondent/Counterclaim Claimant alleged that Claimant/Counterclaim Respondent failed to execute his sell order in a timely manner as requested. Respondent/Counterclaim Claimant maintained that as a result of Claimant/Counterclaim Respondent's actions, his account suffered financial losses.

Claim Data

Claim: \$17,449.02
Interest: unspecified

Attorney Fees: unspecified
Filing Fees: \$1,050.00
Other: unspecified

Counterclaim Data

Claim: \$10,000.00
Interest: 8% per annum from January 3, 2001
to payment
Attorney Fees: unspecified
Other: unspecified

Award Data

Award: \$17,449.02
Interest: 10% p.a. from May 1, 2002
to date of payment of award
Attorney Fees: \$.00
Filing Fees: \$1,050.00
Other: \$.00

Counterclaim Award Data

Award: \$.00
Interest: \$.00

Attorney Fees: \$.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/Counterclaim Claimant is liable and shall pay to the Claimant/Counterclaim Respondent \$17,449.02. 2) Respondent/Counterclaim Claimant is liable and shall pay to Claimant/Counterclaim Respondent interest at the rate of 10% per annum from May 1, 2002 to the date of payment of the award. 3) All requests for attorney fees are denied. 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/Counterclaim Claimant is liable and shall pay Claimant/Counterclaim Respondent \$1,050.00 as reimbursement of the filing fee.

COUNTERCLAIM AWARD: 1) The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows. 1) The claims of Respondent/Counterclaim Claimant are dismissed in their entirety. 2) All request for interest are denied. 3) All request for attorney fees are denied. 4) All other relief requests are denied. 5) Respondent/Counterclaim Claimant shall pay to the NASD Dispute Resolution, Inc. the \$325.00 counterclaim filing fee previously assessed.

OTHER FEES: Pursuant to Rule 10333 of the Code, Claimant/Counterclaim Respondent has paid to NASD Dispute Resolution, Inc. the \$400.00 Member Surcharge previously invoiced.

Page Three
01-02562

Hugh J. Moore, Jr., Esq.

Sole Public Arbitrator

AFFIRMATION

I, Hugh J. Moore, Jr., 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.

Hugh J. Moore, Jr.
Hugh J. Moore, Jr., Esq.

5/24/02
Signature Date

June 4, 2002
Date of Service (For NASD-DR office use only)