

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 02-05011

Mark Alexander, claimant vs. Jac Tomasello and U.S. Discount Brokerage, Inc., respondents.

ATTORNEYS:

Claimant appeared pro se, Mayfield Heights, OH.

Respondents appeared pro se through Jac Tomasello, President U.S. Discount Brokerage, Inc., Rocky River, OH.

DATE FILED: August 26, 2002

CASE SUMMARY: Claimant alleged that respondents failed to pay him for his employment services prior to being laid off.

ARBITRATOR'S REPORT: Claimant was entitled to one week paid vacation upon discharge. Claimant was employed for a period of 56 months. During employment claimant received 56 monthly paychecks and a paycheck for one week. The rate of monthly pay is not considered since there is no writing promising a rate of pay. If an oral promise was made it could also be withdrawn moments later. Respondents' request for fees and expenses is denied.

Claim Data

Claim: \$2,031.25
Interest: \$25.39
Other: Unspecified

Award Data

Award: \$.00
Interest: \$.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) The claims of claimant are dismissed in their entirety. 2) All requests for interest are denied. 3) All other relief requests are denied. 4) The \$75.00 filing fee previously deposited with NASD Dispute Resolution by the claimant, shall be retained by NASD Dispute Resolution.

OTHER FEES: Pursuant to Rule 10333 of the Code, respondent, U.S. Discount Brokerage, Inc., has paid to NASD Dispute Resolution the \$150.00 Member Surcharge previously invoiced.

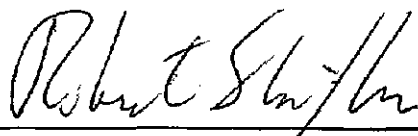
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Award 02-05011

Robert Shiffra, Esq.

Sole Non-Public Arbitrator

AFFIRMATION

I, Robert Shiffra, 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.



Robert Shiffra, Esq.

1-2-03

Signature Date

January 10, 2003

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