

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 03-01743

John G. Wallace, Jr., Claimant vs. Morgan Stanley Online n/k/a Morgan Stanley DW Inc., Respondent.

ATTORNEYS:

Claimant appeared pro se, Hermosa Beach, CA.

For Respondent appeared in-house counsel Judith M. Rosenberg, Esq., San Francisco, CA.

DATE FILED: March 11, 2003

CASE SUMMARY: Claimant alleged that Respondent sold short 1000 shares of NVDA through his individual account at Morgan Stanley Online instead of the requested 500 shares. Claimant maintained that due to Respondent's actions, he suffered financial losses.

Claim Data

Claim: \$8,885.00
Interest: \$1,875.00
Punitive: \$16,114.00
Filing Fees: \$.00

Award Data

Award: \$.00
Interest: \$.00
Punitive: \$.00
Filing Fees: \$212.50

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 requests for punitive damages are denied. 4) All other relief requests are denied. 5) The \$425.00 filing fee previously deposited with NASD Dispute Resolution by the Claimant, shall be retained by NASD Dispute Resolution. 6) Respondent is liable and shall pay Claimant \$212.50 as reimbursement of one half of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

Elizabeth L. Morrison

Sole Public Arbitrator

AFFIRMATION

I, Elizabeth L. Morrison, 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.



Elizabeth L. Morrison

7/23/03
Signature Date

July 31, 2003

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