

**Award**  
**NASD Dispute Resolution**

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In the Matter of the Arbitration Between:

Steven Greer, MD (Claimant) v. Charles Schwab & Co., Inc. (Respondent)

Case Number: 04-00408

Hearing Site: New York, New York

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Nature of the Dispute: Customer v. Member.

**REPRESENTATION OF PARTIES**

Claimant Steven Greer, MD ("Greer") hereinafter referred to as "Claimant" appeared *pro se*.

Respondent Charles Schwab & Co., Inc. ("Charles Schwab") hereinafter referred to as "Respondent": Geoffrey Moore, Esq., Charles Schwab & Co., Inc., San Francisco, CA.

**CASE INFORMATION**

Statement of Claim filed on or about: January 20, 2004.

Claimant signed the Uniform Submission Agreement: January 14, 2004.

Statement of Answer filed by Respondent on or about: February 17, 2004.

Respondent signed the Uniform Submission Agreement: February 17, 2004.

**CASE SUMMARY**

Claimant asserted the following cause of action: failure to execute. Claimant's claim involved shares of CRIS.

Unless specifically admitted in its Answer, Respondent denied the allegations made in the Statement of Claim.

**RELIEF REQUESTED**

Claimant requested compensatory damages in the amount of \$2,681.00 plus interest in the amount of \$120.64.

Respondent requested that the claim be dismissed in its entirety; award Respondent all costs and forum fees; and such other relief as provided by law.

### **AWARD**

After considering the pleadings, and the testimony and evidence presented at the hearing, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Respondent is liable for and shall pay to Claimant Steven Greer, MD a/k/a The SG Healthcare Fund compensatory damages in the amount of \$2,681.00 plus interest at a rate of 9% per annum from June 3, 2003 through January 20, 2004, or \$120.64.
2. Any and all relief not specifically addressed herein is denied.

### **FEES**

Pursuant to the Code, the following fees are assessed:

#### **Filing Fees**

NASD Dispute Resolution will retain or collect the non-refundable filing fees for each claim:

|                          |           |
|--------------------------|-----------|
| Initial claim filing fee | = \$50.00 |
|--------------------------|-----------|

#### **Member Fees**

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the events giving rise to the dispute. Accordingly, Charles Schwab & Co., Inc. is a party.

|                  |            |
|------------------|------------|
| Member surcharge | = \$200.00 |
|------------------|------------|

#### **Forum Fees and Assessments**

The Arbitrator has assessed forum fees for each session conducted. A session is any meeting between the parties and the arbitrator, including a pre-hearing conference with the arbitrator, that lasts four (4) hours or less. Fees associated with these proceedings are:

|   |            |
|---|------------|
| One (1) Pre-hearing session with the sole arbitrator @ \$125.00 | = \$125.00 |
| Pre-hearing conference: April 26, 2004 1 session                |            |

|                                      |            |
|--------------------------------------|------------|
| One (1) Hearing session @ \$125.00   | = \$125.00 |
| Hearing Date: May 18, 2004 1 session |            |

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|                  |            |
|------------------|------------|
| Total Forum Fees | = \$250.00 |
|------------------|------------|

1. The Arbitrator has assessed \$125.00 of the forum fees against Claimant.
2. The Arbitrator has assessed \$125.00 of the forum fees against Respondent.

**Fee Summary**

|                                     |                   |
|-------------------------------------|-------------------|
| 1. Claimant is solely liable for:   |                   |
| Initial Filing Fee                  | = \$ 50.00        |
| <u>Forum Fees</u>                   | <u>= \$125.00</u> |
| Total Fees                          | = \$175.00        |
| <u>Less payments</u>                | <u>= \$175.00</u> |
| Balance Due NASD Dispute Resolution | = \$ 0.00         |
| 2. Respondent is solely liable for: |                   |
| Member Fees                         | = \$200.00        |
| <u>Forum Fees</u>                   | <u>= \$125.00</u> |
| Total Fees                          | = \$325.00        |
| <u>Less payments</u>                | <u>= \$400.00</u> |
| Refund Due Respondent               | = \$ 75.00        |

**ARBITRATOR**

Margaret McQueeney

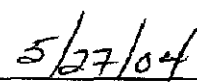
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Sole Public Arbitrator

**Arbitrator's Signature**

I, the undersigned arbitrator, 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 in which is my award.

  
Margaret McQueeney  
Sole Public Arbitrator

  
Signature Date

  
Date of Service (For NASD Dispute Resolution use only)