

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION**

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CASE: 04-00798

Cherri R. Kelly, and Cherri R. Kelly c/f Skylar Destini Kelly, Claimants v. Charles Schwab & Co., Inc., Respondent

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**ATTORNEYS:**

For Claimants Cherri R. Kelly, and Cherri R. Kelly c/f Skylar Destini Kelly ("Claimants") appeared *pro se*, Brighton, IL; previously appeared Mark C. Goldenberg, Esq., of the firm Goldenberg, Miller, Heller & Antognoli, P.C., Edwardsville, IL.

For Respondent Charles Schwab & Co., Inc. ("Respondent") appeared Geoffrey Moore, Esq., in-house counsel, Charles Schwab & Co., Inc., San Francisco, CA.

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**NATURE OF DISPUTE:** Customers vs. Member.

**DATE FILED:** February 9, 2004.

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**CASE SUMMARY:** Claimants alleged that Respondent made unauthorized trades in her accounts. Claimants maintained that due to Respondent's actions, the accounts suffered losses. Claimants' claim involved common stock.

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**Claim Data**

Claim: \$14,586.00

Interest: Unspecified

Attorney Fees: Unspecified

Costs: \$3,414.00

Filing Fees: \$.00

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**Award Data**

Award: \$3,492.58

Interest: @ 5% simple interest from 5/9/02-date of payment of award

Attorney Fees: \$.00

Costs: \$.00

Filing Fees: \$425.00

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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) Respondent is liable and shall pay to the Claimant \$3,492.58. 2) Respondent is liable and shall pay to Claimant interest at the rate of 5% simple interest from May 9, 2002 through the date of payment of the award. 3) All requests for attorney fees are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant deposited previously. 6) Respondent is liable and shall pay to Claimant \$425.00 as reimbursement of the filing fee.

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


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Award 04-00798

Terry F. Peppard, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Terry F. Peppard, 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.

  
Terry F. Peppard, Esq.

10/28/04  
Signature Date

November 11, 2004  
Date of Service (For NASD-DR office use only)