

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-07144

Bradley Allen Hertz (Claimant) v. L.H. Ross & Company, Inc. (Respondent)

ATTORNEYS:

Claimant appeared *pro se*, Walnut Creek, CA.

For Respondent L.H. Ross & Company, Inc. ("Respondent") appeared Dennis G. Fano, Esq., of The Law Offices of Dennis G. Fano, P.A., Boca Raton, FL.

NATURE OF DISPUTE: Customer vs. Member.

DATE FILED: October 4, 2004.

CASE SUMMARY: Claimant alleged that Respondent sold shares of America Online Latin America stock and purchased shares of Blue Rhino Corp. without his knowledge or authorization. Claimant further alleged that Respondent purchased shares of Bidville.com stock at a higher price than what Claimant authorized. Claimant maintained that due to Respondent's actions, his account suffered a loss. Claimant's claim involved shares of common stock.

Claim Data

Claim: \$4,965.45
Punitive: \$15,000.00
Interest: \$0.00

Award Data

Award: \$4,307.47
Punitive: \$0.00
Interest: 6% fr. 2/12/04-2/12/05

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 for and shall pay Claimant \$4,307.47. 2) All requests for punitive damages are denied. 4) All other relief requests are denied. 5) Claimant's filing fee in the amount of \$125.00 and hearing session deposit in the amount of \$300.00 were waived by the Arbitrator.

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

Page Two
Award 04-07144

Edward Thomas Leech

Sole Public Arbitrator

AFFIRMATION

I, Edward Thomas Leech, 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.


Edward Thomas Leech

4-15-05
Signature Date

April 21, 2005
Date of Service (For NASD-DR office use only)