

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-00380

Daniel J. Gibby, (Claimant) vs. AGS Specialist Partners, (Respondent)

ATTORNEYS:

Claimant appeared pro se, Laguna Beach, CA.

For Respondent appeared Timothy P. Kebbe, Esq., of the firm Brunelle & Hadjickow, New York, NY.

NATURE OF DISPUTE: Customer vs. Member

DATE FILED: January 24, 2005

CASE SUMMARY: Claimant alleged that he attempted to close a trade, but due to a computer failure at the AMEX, the trade was not processed, it was busted. Claimant further alleged that due to Respondent's negligence, manipulation and failure to execute, he suffered a financial loss. Claimant's claim involved various options.

Claim Data

Claim: \$330.00
Punitive: \$2,170.00
Filing Fees: \$.00

Award Data

Award: \$.00
Punitive: \$.00
Filing Fees: \$37.50

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 punitive damages are denied. 3) All other relief requests are denied. 4) NASD Dispute Resolution shall retain the \$75.00 filing fee that the Claimant deposited previously. 5) Respondent is liable and shall pay Claimant \$37.50 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 \$150.00 Member Surcharge previously invoiced.

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Award 05-00380

Brett W. Olander, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Brett W. Olander, 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.


Brett W. Olander, Esq.

07-25-05
(Signature Date)

August 3, 2005
Date of Service (For NASD-DR office use only)