

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

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In the Matter of the Arbitration Between:

Larry J. Korfhage (Claimant) vs. Scottrade, Inc. (Respondent)

Case Number: 05-03552

Hearing Site: Louisville, Kentucky

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Nature of the Dispute: Customer vs. Member.

**REPRESENTATION OF PARTIES**

Claimant Larry J. Korfhage hereinafter referred to as "Claimant" appeared *pro-se*.

Respondent Scottrade, Inc. hereinafter referred to as "Respondent": Andrew C. Small, Esq.,  
Scottrade, Inc., St. Louis, MO.

**CASE INFORMATION**

Statement of Claim filed on or about: July 7, 2005.

Claimant signed the Uniform Submission Agreement: July 7, 2005.

Statement of Answer filed by Respondent on or about: September 12, 2005.

Respondent signed the Uniform Submission Agreement: September 12, 2005.

**CASE SUMMARY**

Claimants asserted the following causes of action: breach of contract, negligence, and failure to supervise. The causes of action relate to trust stock certificates.

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 \$1,520.03 and punitive damages in the amount of \$4,560.09.

Respondent requested the dismissal of the Statement of Claim in its entirety, fees, and costs.

**AWARD**

After considering the pleadings, 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. Claimant's claims are dismissed in their entirety.
2. Any and all relief not specifically addressed herein, including punitive damages, 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 = \$ 75.00

#### **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 persons at the time of the events giving rise to the dispute. Accordingly, Scottrade, Inc. is a party.

Member surcharge = \$ 325.00

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

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

One (1) Pre-hearing session with single arbitrator @ \$250.00/session = \$ 250.00  
Pre-hearing conference: March 20, 2006 1 session

Two (2) Hearing sessions with single arbitrator @ \$250.00/session = \$ 500.00  
Hearing Dates: April 18, 2006 2 sessions

Total Forum Fees = \$ 750.00

1. The Arbitrator has assessed \$500.00 of the forum fees to Claimant.
2. The Arbitrator has assessed \$250.00 of the forum fees to Respondent.

### **Fee Summary**

1. Claimant is solely liable for:

Initial Filing Fee	= \$ 75.00
<u>Forum Fees</u>	= \$ 500.00
Total Fees	= \$ 575.00
<u>Less payments</u>	= \$ 325.00
Balance Due NASD Dispute Resolution	= \$ 250.00

2. Respondent is solely liable for:

Member Fees	= \$ 325.00
<u>Forum Fees</u>	= \$ 250.00
Total Fees	= \$ 575.00
<u>Less payments</u>	= \$ 325.00
Balance Due NASD Dispute Resolution	= \$ 250.00


All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

**ARBITRATOR**

Amelia F. Adams, Esq.

- Sole Public Arbitrator

**Arbitrator's Signature**



Amelia F. Adams, Esq.  
Public Arbitrator, Presiding Chairperson

4/25/06  
Signature Date

April 26, 2006

Date of Service (For NASD Dispute Resolution use only)