

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-05238

Marilyn M. Webber, (Claimant) vs. Tradestation Securities, Inc., (Respondent)

ATTORNEYS:

Claimant appeared *pro se*, Campbell, CA.

For Respondent appeared in-house counsel Joseph Nikolson, Esq., Plantation, FL.

NATURE OF DISPUTE: Customer vs. Member

DATE FILED: October 4, 2005

CASE SUMMARY: Claimant alleged that Respondent misrepresented and omitted facts regarding investments in her account. Claimant further alleged breach of contract and fraud. Claimant maintained that due to Respondent's actions, she suffered financial losses. Claimant's claim involved unspecified securities products.

Claim Data

Claim: \$767.30
Punitive: \$1,000.00
Filing Fees: \$.00

Award Data

Award: \$767.30
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) Respondent is liable and shall pay to the Claimant \$767.30. 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 05-05238

Sheldon Michaels, J.D.

Sole Public Arbitrator

AFFIRMATION

I, Sheldon Michaels, J.D., 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.

Sheldon Michaels
Sheldon Michaels, J.D.

2/18/06
(Signature Date)

February 21, 2006
Date of Service (For NASD-DR office use only)