

**Award
NASD Dispute Resolution**

In the Matter of the Arbitration Between:

Name of the Claimant
Janet Blouin

Case Number: 06-00731

Name of Respondent
Ameritrade, Inc. n/k/a
J. P. Securities, Inc.

Hearing Site: New Orleans, Louisiana

Nature of the Dispute: Customer vs. Member.

REPRESENTATION OF PARTIES

Claimant Janet Blouin appeared pro se.

For Ameritrade, Inc. n/k/a J.P. Securities, Inc. ("Ameritrade"), hereinafter referred to as "Respondent": James J. Vihstadt, Esq., TD Ameritrade, Bellevue, Nebraska.

CASE INFORMATION

Statement of Claim filed on or about: February 14, 2006.
Claimant signed the Uniform Submission Agreement: February 6, 2006.
Statement of Answer filed by Respondent on or about: May 10, 2006.
Respondent signed the Uniform Submission Agreement: May 10, 2006.

CASE SUMMARY

Claimant asserted the cause of action of omission of facts. The cause of action relates to information provided by an employee of Respondent to Claimant in connection with the balance contained in Claimant's account.

Unless specifically admitted in its Answer, Respondent denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimant requested compensatory damages of approximately \$75,000.00; punitive damages of approximately \$75,000.00; interest; costs, including witness and production fees; attorneys' fees; and, other case related costs.

Respondent requested that the Statement of Claim be dismissed, a judgment plus costs, and any other relief that the Panel may find just and equitable.

OTHER ISSUES CONSIDERED AND DECIDED

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, and the post-hearing submissions (if any), the Panel has decided in full and final resolution of the issues submitted for determination as follows:

Claimant's claims are denied in their entirety.

Claimant's request for attorneys' fees is denied.

Any and all claims for relief not specifically addressed herein, including Claimant's request for punitive damages, are denied.

FEES

Pursuant to the NASD Code of Arbitration Procedure (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	= \$ 300.00
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The Panel has determined to waive the \$300.00 initial claim filing fee.

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. Accordingly, Respondent Ameritrade is a member firm and a party.

Member surcharge	= \$1,700.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$2,750.00
Total Member Fees	= \$5,200.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

No adjournment fees were incurred in this matter.

Three-Day Cancellation Fees

Fees apply when a hearing on the merits is postponed or settled within three business days before the start of a scheduled hearing session:

No three-day cancellation fees were incurred in this matter.

Injunctive Relief Fees

Injunctive relief fees are assessed to each member or associated person who files for a temporary injunction in court. Parties in these cases are also assessed arbitrator travel expenses and costs when an arbitrator is required to travel outside his or her hearing location and additional arbitrator honoraria for the hearing for permanent injunction. These fees, except the injunctive relief surcharge, are assessed equally against each party unless otherwise directed by the Panel.

No injunctive relief fees were incurred in this matter.

Forum Fees and Assessments

The Panel 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 arbitrator(s), including a pre-hearing conference with the arbitrator(s), that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with a single arbitrator @ \$450.00/session	= \$ 450.00
Pre-hearing conference: September 20, 2006	1 session
One (1) Pre-hearing session with the Panel @ \$1,125.00/session	= \$1,125.00
Pre-hearing conference: June 21, 2006	1 session
Two (2) Hearing sessions @ \$1,125.00	= \$2,250.00
Hearing Date: November 1, 2006	2 sessions
<hr/> Total Forum Fees	<hr/> = \$3,825.00

The Panel has assessed the total forum fees of \$3,825.00 to Respondent.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

No administrative costs were incurred in this matter.

Fee Summary

Respondent is solely liable for:

Member Fees	= \$5,200.00
<u>Forum Fees</u>	<u>= \$3,825.00</u>
Total Fees	= \$9,025.00
<u>Less payments</u>	<u>= \$5,200.00</u>
Balance Due NASD Dispute Resolution	= \$3,825.00

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

ARBITRATION PANEL

Kurt D. Steiner, CPA	-	Public Arbitrator, Presiding Chairperson
Charles H. Peterson	-	Public Arbitrator
Dale A. Kaliszeski	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

/s/
Kurt D. Steiner, CPA
Public Arbitrator, Presiding Chairperson

November 7, 2006
Signature Date

/s/
Charles H. Peterson
Public Arbitrator

November 7, 2006
Signature Date

/s/
Dale A. Kaliszeski
Non-Public Arbitrator

November 7, 2006
Signature Date

November 7, 2006
Date of Service (For NASD Dispute Resolution office use only)

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Kurt D. Steiner, CPA
Public Arbitrator, Presiding Chairperson

11/07/06
Signature Date

Charles H. Peterson
Public Arbitrator

Signature Date

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Non-Public Arbitrator

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Signature Date


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Public Arbitrator

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Signature Date

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