

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 06-01895

5740 Incorporated, (Claimant) vs. Ameritrade, Inc. (Respondent)

ATTORNEYS:

For Claimant appeared Ricardo Escalante, Belize City, Belize.

For Respondent appeared in-house counsel, James J. Vihstadt, Bellevue, NE.

NATURE OF DISPUTE: Customer vs. Member

DATE FILED: April 10, 2006

CASE SUMMARY: Claimant alleged that Respondent negligently handled its account and breached its fiduciary duty. Claimant further alleged manipulation. Claimant maintained that due to Respondent's actions, it suffered a financial loss. Claimant's claim involved options.

Claim Data

Claim: \$6,345.00
Punitive: \$6,925.00
Interest: Unspecified
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$7,995.00
Punitive: \$.00
Interest: \$.00
Filing Fees: \$425.00
Other: \$.00

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 \$7,995.00. 2) All requests for interest are denied. 3) All requests for punitive damages are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant deposited previously. 6) Respondent is liable and shall pay Claimant \$425.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent has not paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

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Award 06-01895

Carlos E. Ayala

Sole Public Arbitrator

AFFIRMATION

I, Carlos E. Ayala, 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.



Carlos E. Ayala

9-1-06
(Signature Date)

September 5, 2006
Date of Service (For NASD-DR office use only)