

**IN ARBITRATION
UNDER CHAPTER XVIII OF THE RULES
OF THE CHICAGO BOARD OPTIONS EXCHANGE, INCORPORATED**

IN THE MATTER OF)
)
)

MF Global, Inc.,)
)
)

Claimant,)
)
)

v.)

File No. 09M002

Michael Lohman,)
)
)

Respondent.)
_____)

AWARD

Representation

For Claimant: Pro se
For Respondent: No appearance

Pleadings

- MF Global, Inc.'s Statement of Claim and Uniform Submission Agreement, filed on or about: October 28, 2009
- Respondent did not file a Statement of Answer and did not execute a Uniform Submission Agreement.

Summary of Issues

On or about October 28, 2009, MF Global, Inc. ("Claimant"), filed a Statement of Claim ("Statement of Claim"), including exhibits in support of the allegations and request for damages contained in the Statement of Claim, against Michael Lohman ("Respondent").

Claimant's Statement of Claim alleged that Respondent has not paid Claimant for orders executed on his behalf from October 2008 through March 2009.

Claimant requested the following relief from the arbitration panel appointed to resolve the above-referenced dispute ("Panel"): (i) an award in favor of Claimant for \$128,687.65 for the unpaid brokerage amount owed by Respondent and (ii) an award of such other and further relief as the Panel may deem just and proper.

Respondent has not filed an Answer and has not filed a Uniform Submission Agreement. Respondent terminated from membership at the Chicago Board Options Exchange, Incorporated ("Exchange") in March 2009.

Claimant filed a Motion for Default Award Against Respondent on March 2, 2010. Respondent did not submit a response to the Motion for Default Award Against Respondent. The Panel has determined that Respondent was properly served notice of the Statement of Claim and that Respondent is required to submit to arbitration pursuant to CBOE Rules and is bound by the determination of the Panel on all issues submitted.

Award¹

After considering the Statement of Claim and the Motion for Default Award Against Respondent filed on March 2, 2010, the Panel appointed to resolve this matter has decided in full and final resolution of the issues submitted for determination as follows:

1. Respondent is liable and ordered to pay to Claimant the unpaid brokerage amount of \$128,687.65.
2. Respondent is liable and ordered to pay to Claimant the amount of the filing fees in the amount of \$750.00 to submit this claim to arbitration.

Forum Fees

Pursuant to Exchange Rule 18.33, the Panel assesses the following filing fee:

| | |
|----------------------------|-------|
| Initial Filing Fee – Claim | \$750 |
| Total | \$750 |

1. The Exchange shall retain the non-refundable filing fee. Claimant initially submitted \$750 for the filing fee.
2. Responsibility for the filing fee, totaling \$750, shall be assessed as follows: Respondent shall be responsible for \$750.
3. Respondent shall submit \$750 to the Claimant, as referenced above in the Award section.
4. Claimant also submitted \$750 to the Exchange for the hearing session deposit. The Exchange shall refund \$750 to Claimant for the hearing deposit.

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|---|---------------------------------|
| <u>/s/ William Shimanek</u> William Shimanek, Chairman and Industry Arbitrator | <u>October 26, 2010</u> Date |
| <u>/s/ Paul Jiganti</u> Paul Jiganti, Industry Arbitrator | <u>October 25, 2010</u> Date |
| <u>/s/ Craig Luce, Industry Arbitrator</u> Craig Luce, Industry Arbitrator | <u>October 25, 2010</u> Date |

¹ Pursuant to Exchange Rule 18.31, all monetary awards shall be paid within thirty (30) days of receipt unless a motion to vacate has been filed with a court of competent jurisdiction.