

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of Arbitration Between

SIDNEY and NATALIE BUCKMAN

Claimants

NASD No. 88-02530

v.

THE ILLINOIS COMPANY

Respondent

CASE SUMMARY

In a claim filed with the NASD on August 10, 1988, Claimants Sidney and Natalie Buckman (Claimants) allege that a six hour delay in execution of an option trade, specifically in buying back 2 major market index Nov 445 puts at the days high on October 19, 1987, instead of the opening price of 46, caused a substantial loss in Claimants' account.

Respondent Illinois Company (Respondent) denies that an order was placed at 9:00 A.M. on October 19, 1987 to buy back the puts immediately. Respondent maintains that the cause of Claimants' losses were the result of unprecedented market conditions.

RELIEF REQUESTED

Claimants requested damages in the amount of \$15,968, tabulated by subtracting the \$7,600 loss they should be held accountable for from the actual loss in the account of \$23,530. Respondent denied any liability and requested dismissal of the claim.

AWARD

On June 19, 1989 in Chicago, Illinois, during a hearing lasting one session, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed on August 6, 1988 by Claimants Sidney and Natalie Buckman and on September 1, 1988 by E. William Severson on behalf of Respondent The Illinois Company, Incorporated.

Pursuant to Section 36 of the NASD Code of Arbitration Procedure, a majority of the arbitration panel having considered the pleadings, the evidence and the testimony presented at the hearing has decided in full and final resolution of all issues submitted for determination as follows:

7/18/89

1. The Claim asserted against Respondent by Claimants shall be and is hereby dismissed in its entirety;

2. The parties shall each bear their respective costs and expenses including any attorneys fees incurred in this proceeding; and

3. Pursuant to Section 43(b) of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall refund the \$400.00 filing fee previously deposited with the NASD by Claimants and Respondent is assessed and shall pay to the NASD, as forum fees, the sum of \$400.00

PANEL MEMBERS CONCURRING

S/William Mock, Esq.

S/Mr. Stephen J. Kennedy

PANEL MEMBER DISSENTING

S/Arthur Medow, Esq.
Presiding Chair