

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Eva Marie Berlin

Claimant(s)

vs.

Mark Schrader and
J.T. Moran & Co.

Respondent(s)

NOTICE OF ARBITRATION
AWARD
88-02846

CASE SUMMARY

Claimant(s) Eva Marie Berlin alleged that Respondent(s) Mark Schrader and J.T. Moran & Co. failed to execute a sell order. Respondent J.T. Moran maintains that the Respondent Mark Schrader was not in the employ of Respondent J.T. Moran at the time of the alleged failure to execute. Also, Respondents deny Claimant's allegations in all respects.

RELIEF REQUESTED

Claimant(s) Eva Marie Berlin requested damages of One Thousand Two Hundred Fifty Dollars and No Cents (\$1,250.00). Respondent(s) requested dismissal of claim and costs.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, Nelson P. Lovins, Esq., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant(s) on August 10, 1988 and by Respondent(s) on October 11, 1988. The Arbitrator, having considered the proofs of the parties, has determined in full and final resolution of the issue submitted for determination as follows:

The Respondent, Mark Schrader, is liable and shall pay the sum of One Thousand Dollars and No Cents (\$1,000.00) to the Claimant.

Also, the claim against J.T. Moran & Co., Inc. is hereby dismissed.

The parties shall each bear their respective costs including attorney's fees.

The \$15.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be refunded to the Claimant by the Respondent Mark Schrader.

August 18, 1989