

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Dean and Marcia McHan

Claimant(s)

vs.

**Fidelity Investments and
Fidelity USA**

Respondent(s)

**NOTICE OF
ARBITRATION
AWARD
89-03241**

CASE SUMMARY

Claimant(s) Dean and Marcia McHan alleged that Respondent(s) Fidelity Investments and Fidelity USA are guilty of breach of contract and negligence. Respondent(s) maintain that to award money damages when the only claim is time and inconvenience would be wholly inappropriate.

RELIEF REQUESTED

Claimant(s) Dean and Marcia McHan requested damages of One Thousand Five Hundred Eighty Four Dollars and Seventy Five Cents (\$1,584.75). 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, Roneé C. McLaughlin, 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 October 30, 1989 and by Respondent(s) on January 9, 1990, respectively;

And, that the Arbitrator, having considered the proofs of the Parties, including any additional documentary submissions of the Claimant(s) and the Respondent(s) has decided and determined in full and final resolution of the issue submitted for determination as follows:

That the Respondents are jointly and severally liable of delay and will pay to the Claimant the sum of One Hundred Dollars and No Cents (\$100.00) for expenses.

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

The \$25.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) will be refunded to the Claimant by Respondent Fidelity Investments.

March 29, 1990