

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

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In the Matter of the Arbitration Between

Marlene Katz

Claimant

* Case #89-3308
Award

vs

State Discount Brokers, Inc.
Sherry Bruce and
Susan Bell

*

Respondents

*

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CASE SUMMARY

Claimant Marlene Katz (hereinafter "Claimant") alleged that Respondents State Discount Brokers, Inc., Sherry Bruce and Susan Bell (hereinafter "Respondents") mishandled Claimant's account and failed to follow instructions. Claimant alleged that on February 10, 1989 option orders were placed with Respondents and that Respondents failed to properly execute her orders causing Claimant's account to suffer losses. Claimant also alleged that Respondent Susan Bell was not properly registered as a registered representative.

Respondents maintained that Claimant's account was properly handled and that Respondents properly executed Claimant's orders. Respondents maintained that all trades were placed by Sheldon Strauss who had trading authorization to trade for Claimant's account. Respondents maintained that all trades placed by Sheldon Strauss for Claimant's account were properly executed. Respondents maintained that Respondent Susan J. Bell was properly registered at all times.

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$3,552.13 plus interest at ten percent plus costs of the filing fees of \$200.00 plus punitive damages in the amount of \$5,000.00.

Respondent requested that Claimant's claim be dismissed in its entirety.

AWARD

On Tuesday, October 2, 1990, in Cleveland, Ohio the undersigned arbitrator heard the controversy between the parties as set forth in submission to arbitration signed by Claimant on November 4, 1989 and by Respondents on January 19, 1990.

The initial claim was filed on November 27, 1989. The arbitrator, having considered the pleadings, the testimony, and the evidence presented at the hearing, has determined in full and final resolution of the issues submitted for determination as follows:

1. Respondents State Discount Brokers is ordered to pay Claimant Marlene Katz the sum of Three Hundred Dollars (\$300.00). Claimant's claim against Susan Bell is denied in its entirety.
2. All Other claims, counterclaims and crossclaims are dismissed.
3. The parties shall bear their respective costs including attorney fees.
4. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$200.00 filing fee previously deposited by the Claimant as costs of the single hearing session conducted in this matter.

PRESIDING ARBITRATOR

/s/
Edward F. Siegel

Dated: October 25, 1990