

IN ARBITRATION
UNDER CHAPTER XVIII OF THE RULES
OF THE CHICAGO BOARD OPTIONS EXCHANGE, INC.

IN THE MATTER OF

Initiating Party

and

Fidelity Investments and
Fidelity Brokerage Services, Inc.

Responding Party

Arbitration File No. 90-NM-12

AWARD

Pursuant to CBOE Rule 18.4 governing the small claims procedure, the captioned matter was submitted on March 12, 1990. The matter was decided solely on the submitted documents and the named parties had full opportunity to present written arguments and evidence. The above captioned controversy involved the following issues:

Claimant ("Claimant") seeks Two Thousand Nine Hundred Forty-Nine and 56/100 Dollars (\$2,949.56) from respondents Fidelity Brokerage Services, Inc. and Fidelity Investments ("Respondents"). Claimant alleges that Respondents caused him to lose that account by erroneously treating his purchase order on puts as a sole order. Respondents assert that it followed Claimant's instructions to enter a sell order.

After carefully reviewing the pleadings and documents submitted by the parties (including a transcript of a taped conversation between the parties on August 10, 1989), the arbitrator hereby awards Claimant the sum of Two Thousand Nine Hundred Forty-Nine and 56/100 Dollars (\$2,949.56). The amount shall be paid jointly and severally by Fidelity Investments and Fidelity Brokerage Services, Inc. Filing fees on deposit with the Exchange are retained.

/s/ Michael J. Kaufman
Michael J. Kaufman
Public Arbitrator

60/17/90
Date