

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between :

Edward Baumgartner :

Claimant :

vs. :

Charles Schwab & Co., Inc. :

Respondent :

CASE #91-00399
AWARD

CASE SUMMARY

Pro Se Claimant, Edward H. Baumgartner, in a claim filed with the National Association of Securities Dealers, Inc. on February 6, 1991, alleged that Respondent Charles Schwab & Co., Inc. owes him interest from January 1988 to March 1989 on a Three Thousand Nine Hundred Sixty-Five Dollars and No Cents (\$3,965.00) investment, plus additional accumulated interest.

Respondent, Charles Schwab & Co., Inc., maintained that Claimant never returned a completed Money Market Authorization form and that his account statement clearly indicated that no money market interest was being earned. They state that it was Mr. Baumgartner's responsibility to review his account statements and notify Schwab of any discrepancies in a timely manner.

RELIEF REQUESTED

Claimant requests Four Hundred Twenty-Five Dollars and No Cents (\$425.00) in damages.

Respondent requests dismissal of the claim in its entirety.

AWARD

Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Leighton E. Moss, Esq., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on February 1, 1991 and by the Respondent on March 11, 1991, respectively; -

And, that the Arbitrator, having considered the proof of the Parties, has decided and determined in full and final resolution of the issues submitted for determination as follows:

1. That the Respondent, Charles Schwab & Co., Inc., is liable and shall pay to the Claimant, Edward H. Baumgartner, the sum of One Hundred Five Dollars and No Cents (\$105.00).
2. The Thirty Dollars and No Cents (\$30.00) filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant shall be retained by the NASD, Inc.
3. A Fifteen Dollars and No Cents (\$15.00) forum fee is assessed against the Respondent, Charles Schwab & Co., Inc., who shall pay Fifteen Dollars and No Cents (\$15.00) to the Claimant, Edward H. Baumgartner.

AFFIRMATION

I, LEIGHTON E. MOSS, ESQ., do hereby affirm upon my oath as arbitrator that I am the individual described herein and who executed this instrument, which is my oath and award.



Signature of Arbitrator

DATED: 7/17/91