

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Douglas J. Lobman

91-03395

Name of Respondent

Christopher Boeckhaus

REPRESENTATION

Claimant appeared pro se.

Respondent did not attend the hearing.

CASE INFORMATION

Statement of Claim filed on: October 25, 1991.

Claimant's Submission Agreement signed on: February 27, 1991.

Statement of Answer filed by Respondent Christopher Boeckhaus on: February 20, 1992.

Respondent Christopher Boeckhaus's Submission Agreement signed on: February 20, 1992

HEARING INFORMATION

Hearing Date/Sessions: July 7, 1992, one session

Hearing Location: NASD, Inc., New York City, New York.

CASE SUMMARY

Claimant alleged that Respondent without authorization purchased securities for Claimant's account and, despite repeated promises to reverse the transaction and credit Claimant with his funds, failed and refused to do so, resulting in a loss to Claimant of \$8,062.50, that being the gross proceeds of his securities sold one week prior to said purchase.

Respondent alleged the purchase in question was erroneously posted and charged to Claimant's account and that despite efforts to correct the alleged error Respondent was unable to do so.

RELIEF REQUESTED

Claimant requested payment of \$8,062.50 with interest from the date of initially promised payment, June 6, 1990.

Respondent made no request.

AWARD

After considering the pleadings, the testimony and the evidence presented at the hearing, the undersigned arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

1. Respondent shall pay to Claimant the sum of \$7927.50, with interest from June 6, 1990.

FORUM FEES

Pursuant to Section 43(c) of the Code of Arbitration Procedure, the following Forum Fees are assessed.

one session x \$200 = \$200 minus hearing session deposit of \$0 = \$200 net due.

The NASD shall retain the filing fee previously deposited by the Claimant.

Respondent shall be and hereby is liable and shall pay to the Claimant the sum of \$75 to represent Claimant's claim filing fee.

Respondent shall be and hereby is liable and shall pay to the NASD the sum of \$200 to represent forum fees.

Fees are payable to the National Association of Securities Dealers, Inc.

Concurring Arbitrator's Signature:
Name

Public/Industry


Joseph B. Russell, Esq./Chairman

Public Arbitrator

Date of Decision: July 7th, 1992

STATE OF: New York
COUNTY OF: New York

S.S.:

On this 7 day of June, 1992, before me personally appeared Joseph B. Russell, Esq. known and known to me to be the individual described in and who executed the foregoing instrument and be duly acknowledged to me that he executed the same.

Mark O. Mark

MARK O. GLUT
Notary Public, State of New York
No. 4085188
Qualified in Queens County
Commission Expires April 25, 1994