

**IN ARBITRATION  
UNDER CHAPTER XVIII OF THE RULES  
OF THE CHICAGO BOARD OPTIONS EXCHANGE, INCORPORATED**

\_\_\_\_\_  
IN THE MATTER )

LIT America, Inc., )

Claimant, )

v. )

Rosario V. Sbrocca, )

Respondent. )  
\_\_\_\_\_

Arbitration File No. 92-M-07

**AWARD**

LIT America, Inc. ("LIT"), a member organization of the Chicago Board Options Exchange, Incorporated ("CBOE" or "Exchange"), filed the Statement of Claim ("SOC") in the captioned dispute with the Director of Arbitration ("Director") on or about September 1, 1992. Rosario V. Sbrocca ("Sbrocca"), a former Exchange member, filed an Answer and Counter Claim on or about February 18, 1993. The named parties appeared at a hearing session on February 22, 1993 in Chicago, Illinois and had full opportunity to present arguments and evidence.

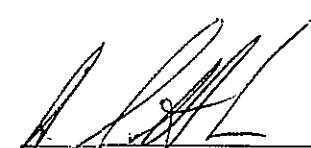
The above captioned controversy involves the following issues. The SOC declares that LIT is the owner of all accounts receivable, rights, claims and causes of action formerly owned by Shatkin Investment Corp. ("Shatkin"), a former Exchange member organization, including such claims against Sbrocca. As the successor to Shatkin, LIT asserts two (2) claims against Sbrocca. First, LIT asserts a claim in the amount of \$4,484.08, plus interest, costs and attorneys' fees, representing a net deficit, as of January 31, 1990, in Sbrocca's clearing account with Shatkin. Second, LIT alleges a claim against Sbrocca in the amount of \$9,400.00, plus interest, costs and attorneys' fees, representing the balance due on a loan from Shatkin to purchase a CBOE special membership in approximately January 1988.

In his Answer and Counter Claim, Sbrocca challenges the assignment of Shatkin's interests to LIT and denies as untrue in the form and manner alleged the claims relating to a net deficit in

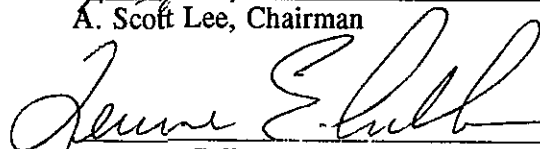
his account with Shatkin and a loan from Shatkin to purchase a CBOE special membership. Sbrocca requests an award of no cause of action, together with costs, interest and attorneys fees for both counts.

After due deliberation, the undersigned arbitrators, having considered the hearing testimony, documentary evidence, and other submissions of the parties, award as follows:

1. Sbrocca is liable for and shall pay LIT the sum Four Thousand Four Hundred and Eighty Four Dollars and Eight Cents (\$4,484.08);
2. Sbrocca is liable for and shall pay LIT the sum of Nine Thousand Four Hundred Dollars (\$9,400);
3. No award is rendered for interest, costs or attorneys fees; and
4. Pursuant to CBOE Rule 18.33, the Exchange shall retain the non-refundable filing fee in the amount of Five Hundred Dollars (\$500.00) and the hearing session deposit in the amount of Six Hundred Dollars (\$600.00) previously submitted by LIT. Liability for the filing fee and hearing fee, totalling \$1100, shall be divided equally between the parties. Therefore, Sbrocca shall pay to LIT the sum of Five Hundred Fifty Dollars (\$550.00) for fees previously deposited by LIT.

  
A. Scott Lee, Chairman

  
Date

  
Terrence Cullen

  
Date

  
Stephen McKenzie

  
Date