

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

IN THE MATTER OF

Claimant,

v.

Charles Schwab & Co., Inc,

Respondent.

File No. 92 NM 13

AWARD

("Claimant") filed the Statement of Claim in the captioned dispute on or about December 15, 1992. Charles Schwab & Co., Inc. ("Respondent") filed an Answer on or about February 12, 1993. Pursuant to Chicago Board Options Exchange ("CBOE") Rule 18.10, Claimant requested a panel of arbitrators composed of securities industry arbitrators. The named parties appeared at a double hearing session on February 3, 1994 in Denver, Colorado and had full opportunity to present arguments and evidence.

The captioned controversy involves the assignment of 100 December 230 S&P call options to Claimant's account on December 16, 1986. Claimant alleges that Respondent failed to provide timely notice of the assignment and seeks damages in the amount of Thirty Thousand and Twenty Five Dollars (\$30,025.00), plus interest, attorneys fees, punitive damages, and costs. Respondent asserts it met its regulatory and contractual obligations with regard to notice of assignment, denies that notice was untimely, and requests that the claim be denied.

After due deliberation and consideration of the hearing testimony, documentary evidence, and other submissions of the parties, the undersigned arbitrators, in full and final settlement of the matter in controversy, award as follows:

1. Respondent is liable for and shall pay to Claimant the sum of Twenty Six Thousand Six Hundred and Fifty Dollars (\$26,650.00) in compensatory damages.

* Pursuant to Exchange Rule 18.34(f), Claimant requests that his/her name not be made publicly available.

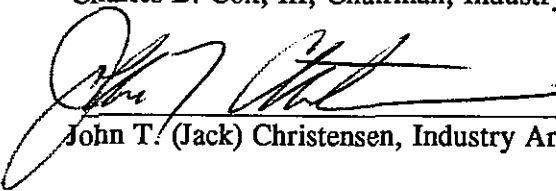
2. Respondent is liable for and shall pay interest to Claimant in the amount of Two Thousand Four Hundred and Ninety Four Dollars and Fifteen Cents (\$2,494.15) through February 14, 1994 and thereafter Five Dollars and Eighty Four Cents (\$5.84) per day until the Award is paid.
3. Respondent is liable for and shall pay to Claimant the sum of Five Thousand Dollars (\$5,000.00) in attorneys fees.
4. No award is rendered for punitive damages.
5. Pursuant to CBOE Rule 18.33, Respondent is liable for filing and hearing session fees, totalling Nine Hundred and Twenty Dollars (\$920.00) to be paid as follows:

(i) Respondent shall pay to Claimant the sum of Five Hundred and Twenty Dollars (\$520.00), which represents the filing fee in the amount of One Hundred and Twenty Dollars (\$120.00) and the hearing session deposit in the amount of Four Hundred Dollars (\$400.00) previously submitted to CBOE by Claimant.


(ii) Respondent shall pay to CBOE the additional hearing session fee in the amount of Four Hundred Dollars (\$400.00).


Charles B. Cox, III, Chairman, Industry Arbitrator

2/23/94
Date


John T. (Jack) Christensen, Industry Arbitrator

2/25/94
Date


Rozanne L. Nelson, Industry Arbitrator

3/1/94
Date