

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

IN THE MATTER OF)	
)	
Public Customer,)	
)	
Claimant,)	DECISION
)	
v.)	File No. 95 NM 05
)	
Steven H. Koch and)	
ING Securities Derivatives Clearing,)	
)	
Respondents.)	
)	

Representation

For Claimant(s): Pro Se
For Respondent(s): Pro Se

Pleadings

Statement of Claim filed on or about: June 8, 1995
Answer of Stephen H. Koch filed on or about: July 18, 1995
Answer of ING Securities Derivatives Clearing filed on or about: July 21, 1995

Hearing

Pursuant to Chicago Board Options Exchange ("Exchange") Rule 18.4, the dispute was submitted to a single public arbitrator. Claimant, a public customer, demanded a hearing. Claimant and Respondent Stephen H. Koch ("Koch") appeared at the hearing specified below, and had full opportunity to present arguments and evidence. Respondent ING Securities Derivatives Clearing ("ING Securities") failed to appear at the hearing. In accordance with Exchange Rule 18.19, the arbitrator found that ING Securities was duly noticed of the hearing by certified mail, dated August 7, 1995, and determined to proceed with the arbitration of the controversy.

Date(s):	September 18, 1995	No. of Sessions:	1
Location:	Chicago, IL		

Summary of Issues

The dispute, claim or controversy involves the execution of a market order to purchase 100 Systemed March 7 1/2 put contracts on expiration Friday, March 17, 1995. Claimant alleges that a market order for 100 contracts was submitted at 2:55 p.m., when the bid was 1/2 and the ask was 11/16, and that the order was executed at 70 contracts at 11/16 and 30 contracts are

13/16. Claimant further alleges that Koch was the trader for the transaction and that Koch works for ING Securities. Claimant asserts that the trade was inappropriately filled, that the ask price was improperly inflated , and that the 100 contracts were manipulated to increase the purchase price.

Relief Requested

Claimant seeks an award against Koch and ING Securities in the amount of \$7,500, which includes compensatory damages in the amount of \$1,000, punitive damages in the amount of \$4,000, plus other costs and interest in the amount of \$2,500.

Award*

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

1. Claimant shall receive no recovery from Koch.
2. Claimant shall receive no recovery from ING Securities.

Forum Fees

Pursuant to CBOE Rule 18.33, the Arbitrator finds that Claimant shall be responsible for all forum fees. Therefore, the Exchange shall retain the non-refundable filing fee in the amount of \$50 and the hearing session deposit in the amount of \$100 previously submitted by Claimant.

/s/ Peter B. Shaeffer
Peter B. Shaeffer, Public Arbitrator

October 4, 1995
Date

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* Pursuant to CBOE Rule 18.31, all monetary awards shall be paid within thirty (30) days of receipt unless a motion to vacate has been filed with a court of competent jurisdiction.