

Award
NASD Regulation, Inc.

In the Matter of the Arbitration Between:
Elinor A. Conroy, Claimant v. Charles Schwab & Co., Inc., Respondent.

Case Number: 99-00277

Hearing Site: Los Angeles, California

REPRESENTATION OF PARTIES

For Claimant:

Elinor A. Conroy
In Pro Per
Aliso Viejo, California

For Respondent:

Gregory Scanlon, Esq.
Charles Schwab & Co., Inc.
San Francisco, California

CASE INFORMATION

Statement of Claim filed: January 21, 1999

Claimant's Uniform Submission Agreement signed: January 19, 1999

Statement of Answer filed by Respondent: April 6, 1999

Respondent's Uniform Submission Agreement signed: February 22, 1999

CASE SUMMARY

Claimant alleged the following causes of action: breach of fiduciary duty and unsuitability.

Respondent denied the allegations of wrongdoing set forth in the Claimant's Statement of Claim.

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$17,810.85, treble damages in the amount of \$53,432.55, attorney's fees, related costs, and interest.

Respondent requested dismissal of the Claimant's Statement of Claim in its entirety and related costs.

OTHER ISSUES CONSIDERED AND DECIDED

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

After considering the pleadings, the evidence presented at the hearing, and the post-hearing submissions if applicable, the Arbitrator/Panel has decided in full and final resolution of the issues submitted for determination as follows:

- 1) Claimant's claims are denied in their entirety.
- 2) Claimant's claim for treble damages is denied.
- 3) Each party shall bear its own costs, including attorney's fees.
- 4) All relief requested and not expressly granted is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Regulation, Inc. has received or will collect the non-refundable filing fees for each claim as follows:

Initial claim filing fee	= \$ 150.00
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Member Fees

Member fees are assessed to each member firm that is either a party in the matter or an employer of a respondent associated person at the time of the event of the dispute. Accordingly, the member firm Charles Schwab & Co., Inc. is a party and the following fees are assessed:

Member Surcharge	= \$1,000.00
Pre-Hearing process fee	= \$ 600.00
<u>Hearing process fee</u>	= \$1,500.00
Total Member Fees	= \$3,100.00

Forum Fees and Assessments

The Panel assessed a forum fee for each pre-hearing conference or hearing session conducted. A pre-hearing conference and hearing session is any meeting between the parties and the Chair/Panel. The following fees are assessed:

(1) Pre-hearing conference session with the Panel @ \$ 500.00	= \$ 500.00
Pre-hearing conference: June 17, 1999 1 session	
(2) Hearing sessions @ \$ 500.00	= \$ 1,000.00
Hearings: October 25, 1999 2 sessions	
Total Forum Fees	= \$ 1,500.00

1. The Arbitration Panel has assessed \$ 750.00 of the forum fees to Claimant.
2. The Arbitration Panel has assessed \$ 750.00 of the forum fees to Respondent.

Fee Summary

1. Claimant, Elinor A. Conroy, is charged with the following fees and costs:

Initial Filing Fee	= \$ 150.00
Forum Fees	= \$ 750.00
Total Fees	= \$ 900.00
<u>Less payments</u>	= \$ (650.00)
Balance Due NASD Regulation, Inc.	= \$ 250.00

2. Respondent, Charles Schwab & Co., Inc., is charged with the following fees and costs:

Member Fees	= \$ 3,100.00
Forum Fees	= \$ 750.00
Total Fees	= \$ 3,850.00
<u>Less payments</u>	= \$(3,100.00)
Balance Due NASD Regulation, Inc.	= \$ 750.00

All balances are payable to NASD Regulation, Inc. and are due within 30 days of the award's date of service.

Concurring Arbitrators' Signatures

Wayne E. Gallop, Esq.
Chair, Public Arbitrator

Signature Date

Lambert M. Javelera, Esq.
Public Arbitrator

Signature Date

John S. Simmers
Industry Arbitrator

Signature Date

Date of Service

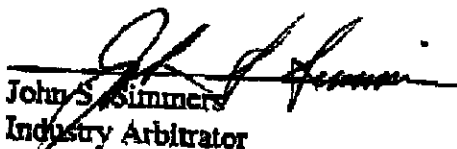
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Public Arbitrator

Signature Date



John S. Simmers
Industry Arbitrator

11-8-99
Signature Date

11/8/99
Date of Service

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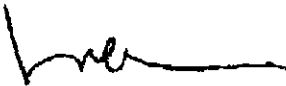


Date of Service

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