

AWARD
NASD Regulation, Inc.

CASE: 99-00662

Charles Schwab & Company, Inc., claimant vs. Mike Miller, respondent.

ATTORNEYS:

For Claimant appeared Linda A. Gallagher Esq. and, Steven Berkeley, Esq., of the firm, Gombert, Kane & Fischer, Ltd., Chicago, IL.

Respondent Mike Miller did not respond to the Statement of Claim.

DATE FILED: 2/16/1999

CASE SUMMARY: Claimant alleged that an erroneous credit was posted to respondent's account. Claimant further alleged that, after an adjustment was made, there existed an unsecured debit balance of \$10,000.00. Claimant maintained that despite their request, respondent has not returned the money.

Claim Data

Claim: \$10,000.00
Interest: 1) from 11/20/95 - 6/28/99
 2) accruing

Costs: 1,456.84 & accruing
Other:

Award Data

Award: \$10,000.00
Interest: 1) \$3,196.41
 2) @8.75% per annum from
 6/29/99 to date of payment

Costs: \$.00
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is liable and shall pay to the claimant \$10,000.00. 2) Respondent is liable and shall pay to claimant \$3,196.41 in interest, plus interest at the rate of 8.75% per annum from 6/29/99 to date of payment. 3) All other relief requests are denied. 4) The \$575.00 filing fee previously deposited with the National Association of Securities Dealers Regulation, Inc. by the claimant, shall be retained by NASD Regulation, Inc.

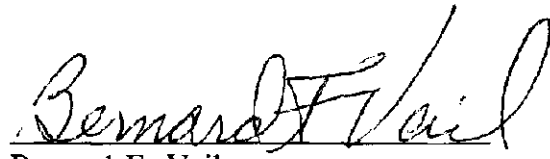
OTHER FEES: Pursuant to Rule 10333 of the Code, claimant has paid to NASD Regulation, Inc. the \$300.00 Member Surcharge previously invoiced.

OTHER ISSUES: Pursuant to the By-Laws of NASD Regulation, the arbitrator determined that respondent was served notice of the Statement of Claim, Overdue Notice and Notification of Arbitrator by regular mail, and is therefore bound by the arbitrator's ruling and determination.

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AFFIRMATION

I, Bernard F. Vail, do hereby affirm, upon my oath as arbitrator that I am the individual described herein who executed this instrument, which is my oath and award.


Bernard F. Vail

October 4, 1999

Date of award