

**N.A.S.D. REGULATION AWARD**  
**NATIONAL ASSOCIATION OF SECURITIES DEALERS REGULATION, INC.**

CASE: 99-00903

Jim Phillips, claimant vs. E\*Trade Securities, Inc., respondent.

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**ATTORNEYS:**

Claimant Jim Phillips appeared Pro Se., Nashville, Tennessee.

For Respondent E\*Trade Securities, Inc., appeared Bob Salvador, Senior Compliance Analyst, E\*Trade Securities, Inc., Palo Alto, California.

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DATE FILED: 03/02/1999

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**CASE SUMMARY:** Claimant alleged that on February 3, 1999, he attempted to place an order to buy 20 3Com Corp. option contracts with Respondent E\*Trade Securities, Inc. Claimant maintains that he received no confirmation for his order, and subsequently placed two additional orders. Claimant alleged that Respondent improperly allocated 60 contracts to his account and for this, he seeks damages.

In its Counterclaim, Respondent alleged that Claimant failed to pay an outstanding debit balance in his account.

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**Claim Data**

Claim: \$6,679.00

**Award Data**

Award: \$2,569.38

**Counterclaim Data**

Claim: \$6,268.04

Interest: Unspecified

Costs: Unspecified

**Award Data**

Award: \$.00

Interest: \$.00

Costs: \$.00

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**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 \$2,569.38. 2) Respondent's counterclaim is hereby denied in its entirety. 3) All other relief requests are denied. 4) The \$150.00 filing fee previously deposited with the National Association of Securities Dealers Regulation, Inc. by the claimant, shall be retained by NASD Regulation, Inc. 5) Respondent E\*Trade Securities, Inc., shall pay to NASD Regulation, Inc., the \$575.00 counterclaim filing fee previously invoiced.

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**OTHER FEES:** Pursuant to Rule 10333 of the Code, respondent has paid to NASD Regulation, Inc., the \$300.00 member surcharge previously invoiced.

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**AFFIRMATION**

I, Joe E. Hutton, 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.

Joe E. Hutton  
Joe E. Hutton

February 9, 2000  
Date of Award