

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

CASE: #99-1912

OLDE Discount Corporation, claimant vs. Excell Marks, respondent.

ATTORNEYS:

For Claimant, OLDE Discount Corporation, appeared in-house counsel Aaron L. Kleid, Esq., Detroit, MI.

Respondent, Excell Marks, did not respond to the Statement of Claim.

DATE FILED: April 26, 1999

CASE SUMMARY: Claimant alleged that respondent failed to pay for purchase of 1,000 shares of Innovex stock, resulting in a debit in respondent's account.

Claim Data

Claim: \$1,115.47

Interest: \$736.38

Atty Fees: as deemed fair and just

Filing Fees: \$350.00

Costs: \$97.50

Award Data

Award: \$1,115.47

Interest: \$736.38 from 10/18/93 to 4/18/99

Atty Fees: \$1,250.00

Filing fees: \$350.00

Costs: \$97.50

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 \$1,115.47. 2) Respondent is liable and shall pay to the claimant interest in the amount of \$736.38. 3) Respondent is liable and shall pay to the claimant attorney's fees in the amount of \$1,250.00 4) Respondent is liable and shall pay to the claimant costs in the amount of \$97.50. 5) All other relief requests are denied. 6) The \$350.00 filing fee previously deposited with the National Association of Securities Dealers Regulation, Inc. by the claimant, shall be retained by NASD Regulation, Inc. 7) Respondent is liable and shall pay claimant \$350.00 as reimbursement of the filing fee.

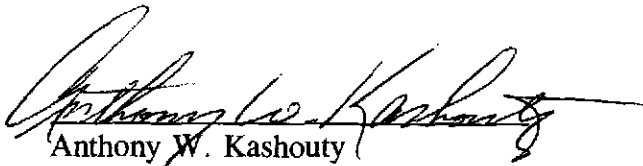
OTHER FEES: Pursuant to Rule 10333 of the Code, claimant has paid to NASD Regulation, Inc. the \$150.00 Member Surcharge previously invoiced.

OTHER ISSUES: Pursuant to the By-Laws of NASD Regulation, the arbitrator determined that respondent, Excell Marks, 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, Anthony W. Kashouty, 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.


Anthony W. Kashouty

Date of award