

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

CASE: 99-02141

Charles Schwab & Co., Inc., claimant vs. James J. Sedlar, respondent.

ATTORNEYS:

For Claimant Charles Schwab & Co., Inc ("Claimant"), Diane C. Fischer, Esq., Gomberg Kane & Fischer, Ltd., Chicago, Illinois.

Respondent James J. Sedlar ("Respondent"), did not respond to the Statement of Claim.

DATE FILED: 05/10/1999

CASE SUMMARY: Claimant maintained that on March 17, 1998, it incorrectly deposited \$20,000.00 in Respondent's Account. Claimant further maintained that on April 14, 1998, it issued a check to the Respondent for \$20,000.00. Claimant maintained that upon discovery of the error, it requested that the funds be returned, however, Respondent failed to do so.

Claim Data

Claim: \$19,857.05
Interest: from May 13, 1998
at a rate of 8.75% per annum accruing
from 5/13/98 through May 10, 1999
totaling \$1,689.30.
Interest: until the balance is paid at
Schwab's current rate.
Filing Fees: \$1,050.00
Costs: \$410.48
Accruing Costs: unspecified
Other: unspecified

Award Data

Award: \$19,857.05
Interest: from May 13, 1998 to date
of collection of the award at Schwab's
base rate determined by the Account
Agreement

Filing Fees: \$1,050.00
Costs: \$410.48
Accruing Costs: \$135.68
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 \$19,857.05. 2) Respondent is liable and shall pay to the Claimant interest accruing from May 13, 1998, to the date of collection of the award at Schwab's base rate determined by the account agreement. 3) Respondent is liable and shall pay Claimant costs and accruing costs in the amount of \$546.16. 4) The \$1,050.00 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 is liable and shall pay claimant \$1,050.00 as reimbursement of the filing fee.

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OTHER FEES: Pursuant to Rule 10333 of the Code, Claimant has paid to NASD Regulation, Inc. the \$400.00 Member Surcharge previously invoiced.

OTHER ISSUES: Pursuant to the By-Laws of NASD Regulation, the arbitrator determined that respondent James J. Sedlar 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.

AFFIRMATION

I, Martin Liebman, 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.



Martin Liebman

February 8, 2000

Date of award