

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 99-02307

Charles Schwab & Co., Inc. Claimant vs. Amerika Aurre, Respondent.

ATTORNEYS:

For Claimant, Charles Schwab & Co. Inc. ("Claimant"), appeared Stephen S. Berkeley, Esq. of the firm Kane & Fischer, Ltd., Chicago, IL.

Respondent, Amerika Aurre, ("Respondent"), did not respond to the statement of Claim.

DATE FILED: May 19, 1999

CASE SUMMARY: Claimant alleged that Respondent deposited a certificate which represented 300,000 shares of Fluid Lift International stock ("Fluid Lift"), which was later changed to Odessa Foods International Inc. ("Odessa"). Claimant further alleged that the stock was restricted, therefore Respondent provided documentation to remove the restriction and the stocks were then sold, with proceeds forwarded to Respondent. Claimant maintained that after the stocks were sold it was informed by the transfer agent that the shares could not be transferred. Claimant maintained that it was forced to buy back the shares and should be reimbursed by Respondent.

Claim Data

Claim: \$7,229.81
Interest: \$2,896.26 from 2/16/99 to
7/21/00 and accruing
Costs: \$1044.94
Filing Fees: \$1,450.00
Other: Unspecified

Award Data

Award: \$7,229.81
Interest: \$2,896.26 from
2/16/99 to 7/21/00
Costs: \$1040.94
Filing Fees: \$750.00
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 \$7,229.81. 2) Respondent is liable and shall pay to the Claimant \$2,896.26 as interest from 2/16/99 to 7/21/00. 3) Respondent is liable and shall pay to the Claimant \$1040.94 as costs. 4) All other relief requests are denied. 5) The \$750.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the Claimant, shall be retained by NASD Dispute Resolution, Inc. 6) Respondent is liable and shall pay claimant \$750.00 as reimbursement of the filing fee.

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

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OTHER ISSUES: Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that Respondent was served notice of the Statement of Claim by regular mail, Overdue Notice and Notification of Arbitrator by certified mail, as evidenced by the signed signature card on file and is therefore bound by the arbitrator's ruling and determination.

AFFIRMATION

I, Mark Mendley, do hereby affirm, pursuant to article 7507 of the Civil Practice law and Rules, that I am the individual described herein, and who executed this instrument which is my award.


Mark Mendley

October 18, 2000
Date of Award