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NASD REGULATION

003/004

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

CASE: 99-04164

Charles Schwab & Company, Inc., claimant vs. Bill Westerheide, respondent.

ATTORNEYS:

For Claimant Charles Schwab and Company, Inc. ("Claimant"), Stephen Berkley, Esq.,
Goomberg, Kane & Fischer, Ltd., Chicago, IL.

Respondent Bill Westerheide ("Respondent") did not respond to the Statement of Claim, Kansas
City, MO.

DATE FILED: 9/10/1999

CASE SUMMARY: Claimant maintained that in error, it posted to Respondent's account 633
Shares of Blockbuster Entertainment common stock. Claimant further maintained that
Respondent ordered the sale of the stock and upon his request, was issued a check for the
proceeds of the sale. Claimant alleged that Respondent paid a portion of the debt however, there
still remains an outstanding balance that has not been paid.

Claim Data

Claim: \$13,083.23
Interest: 2/97 - 5/26/99 = \$2,039.03
5/27/99 - 9/9/99 @8.25% = \$369.36
until the balance is paid at
Schwab's current interest rate
Filing Fees: \$1,050.00
Costs: \$449.19
Other: unspecified

Award Data

Award: \$13,083.23.00
Interest: 2/97 - 5/26/99 = \$2,039.03
5/27/99 - 9/9/99 @8.25% = \$369.36
Per diem interest at \$3.42 a day until
the award is paid in full
Filing Fees: \$.00
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 \$13,083.23. 2) Respondent is liable and shall pay to the Claimant interest from 2/97 -
5/26/99 totaling \$2,039.03; 5/27/99 - 9/9/99 totaling \$369.36; and, per diem interest at \$3.42
per day until the award is paid in full. 3) All other relief requests including Claimant's request
for costs are hereby denied. 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.

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

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Award 99-04164

OTHER ISSUES: Pursuant to the By-Laws of NASD Regulation, the arbitrator determined that Respondent Bill Westerheide 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, Mark D. Wasserstrom, Esq., 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.

Mark D. Wasserstrom

Mark D. Wasserstrom, Esq.

5/9/2000
Date of award