

**Award**  
**NASD Regulation, Inc.**

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In the Matter of the Arbitration Between:

Ronald Doses, (Claimant) vs. E\*Trade Securities, Inc., (Respondent)

Case Number: 99-04351

Hearing Site: New York, New York

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**REPRESENTATION OF PARTIES**

Claimant, Ronald Doses ("Doses"), hereinafter referred to as "Claimant", appeared *pro se*.

Respondent, E\*Trade Securities, Inc. ("E\*Trade"), hereinafter referred to as "Respondent": Mark T. Dooks, Esq., Bird, Marella, Boxer & Wolpert, Los Angeles, CA. Previously represented by: Bob Salvador, Compliance Analyst, E\*Trade Securities, Inc., Menlo Park, CA.

**CASE INFORMATION**

Statement of Claim filed on or about: September 23, 1999.

Claimant signed the Uniform Submission Agreement: September 13, 1999.

Statement of Answer filed by Respondent on or about: October 25, 1999.

Respondent signed the Uniform Submission Agreement.

**CASE SUMMARY**

Claimant asserted the following causes of action: failure to properly explain the risks of margin and inadequate notification of a margin call.

Unless specifically admitted in its Answer, Respondent denied the allegations made in the Statement of Claim and asserted the following defenses: Claimant's account application indicated that he was an experienced investor; Claimant ignored his responsibility to meet a margin call despite timely notification; and, Claimant is responsible for activity in his account pursuant to the terms of E\*Trade's customer agreement.

### **RELIEF REQUESTED**

Claimant requested:

Compensatory Damages	\$7,000.00
Punitive Damages	\$3,000.00

Respondent requested that the claim be dismissed in its entirety.

### **OTHER ISSUES CONSIDERED AND DECIDED**

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

### **AWARD**

After considering the pleadings, the testimony and evidence presented at the hearing, the Arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

1. Claimant's claims are hereby denied in their entirety.
2. All other requests for relief are hereby denied.

### **FEES**

Pursuant to the Code, the following fees are assessed:

#### **Filing Fees**

NASD Regulation, Inc. will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee	= \$ 75.00
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#### **Member Fees**

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the events giving rise to the dispute. In this matter, E\*Trade Securities, Inc. is a party.

Member surcharge	= \$300.00
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**Forum Fees and Assessments**

The Arbitrator assesses forum fees for each hearing session conducted. A hearing session is any meeting between the parties and the arbitrator, including a pre-hearing conference with the arbitrator, that lasts four (4) hours or less. Fees associated with these proceedings are:

Two (2) Pre-hearing sessions with a single arbitrator x \$250.00	= \$500.00
Pre-hearing conferences: March 15, 2000 1 session	
March 15, 2000 1 session	
One (1) Hearing session x \$250.00	= \$250.00
<u>Hearing Date</u> May 2, 2000 1 session	
Total Forum Fees	= \$750.00

1. The Arbitrator has assessed \$250.00 of the forum fees against Claimant.
2. The Arbitrator has assessed \$500.00 of the forum fees against Respondent.

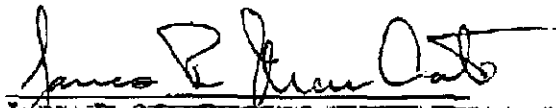
**Fee Summary**

1. Claimant be and hereby is solely liable for:	
Initial Filing Fee	= \$ 75.00
<u>Forum Fees</u>	= \$250.00
Total Fees	= \$325.00
<u>Less payments</u>	= \$325.00
Balance Due NASD Regulation, Inc.	= \$ 0.00
2. Respondent be and hereby is solely liable for:	
Member Fees	= \$300.00
<u>Forum Fees</u>	= \$500.00
Total Fees	= \$800.00
<u>Less payments</u>	= \$300.00
Balance Due NASD Regulation, Inc.	= \$500.00

All balances are due and payable to NASD Regulation, Inc.

**Concurring Arbitrator's Signature**

I, the undersigned arbitrator, 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.

  
James R. MacCrate  
Public Arbitrator

6/7/00  
Signature Date

June 9, 2000  
Date of Service (For NASD office use only)