

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

CASE: 99-04962

Charles Schwab & Co., Inc., claimant vs. Mark S. Johnson, respondent.

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**ATTORNEYS:**

For Claimant Charles Schwab & Co., Inc. ("Claimant"), Mauricio S. Beugelmans, in-house counsel for Charles Schwab & Co., Inc., San Francisco, California.

Respondent Mark S. Johnson ("Respondent"), did not respond to the Statement of Claim.

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**DATE FILED:** 11/03/1999

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**CASE SUMMARY:** Claimant maintained that on May 13, 1999, Respondent placed an order to purchase 3,000 shares of Dell Computer Corp ("Dell"). Claimant further maintained that Respondent's check deposited to cover the purchase of Dell was returned due to insufficient funds. Claimant alleged that after Respondent's position was liquidated, there was left an unsecured debit balance in his account.

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**Claim Data**

Claim: \$20,130.93  
Interest: on original balance, at 8.75% per annum accruing from June 1, 1999, to the present, amounting to \$4.89 per day

Filing Fees: \$1,050.00  
Other: unspecified

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**Award Data**

Award: \$20,130.93  
Interest: on original balance, at 8.75% per annum accruing from June 1, 1999 to the date the award is paid in full  
Filing Fees: \$1,050.00  
Other: \$.00

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**AWARD:** The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is hereby liable and shall pay to the Claimant \$20,130.93. 2) Respondent is hereby liable and shall pay to the Claimant interest on the original balance at 8.75% per annum accruing from June 1, 1999 to the date the award is paid in full. 3) All other relief requests are 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. 5) Respondent is hereby liable and shall pay to the Claimant \$1,050.00 as reimbursement of the filing fee.

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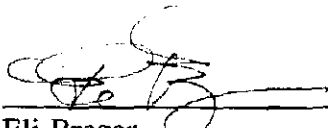
**OTHER FEES:** Pursuant to Rule 10333 of the Code, Claimant has paid to NASD Regulation, Inc. the \$400.00 Member Surcharge previously invoiced.

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OTHER ISSUES: Pursuant to the By-Laws of NASD Regulation, the arbitrator determined that Respondent Mark S. Johnson was served notice of the Statement of Claim by regular mail, Overdue Notice and Notification of Arbitrator by certified mail, and is therefore bound by the arbitrator's ruling and determination.

**AFFIRMATION**

I, Eli Breger, 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.

  
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Eli Breger

April 24, 2000

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Date of award