

**IN ARBITRATION
UNDER CHAPTER XVIII OF THE RULES
OF THE CHICAGO BOARD OPTIONS EXCHANGE, INCORPORATED**

In The Matter Of)	
)	
Scott & Stringfellow, Inc.,)	
)	
Claimant,)	DECISION
)	
v.)	File No. 02NM002
)	
Joseph S. Sullivan,)	
)	
Respondent.)	
)	

Representation

For Claimant(s): *Pro Se*
For Respondent(s): *Pro Se*

Pleadings

Statement of Claim and Submission Agreement, filed on or about: July 26, 2002
Answer [and Joseph S. Sullivan's Submission Agreement](#), filed on or about: August 29, 2002

Hearing

Pursuant to Chicago Board Options Exchange ("Exchange") Rule 18.4, Simplified Arbitration, the claim was decided by a single public arbitrator knowledgeable in the securities industry solely upon the pleadings and evidence filed by the parties. The named parties had full opportunity to present written arguments and evidence for consideration by the agreed upon public arbitrator.

Summary of Issues

The dispute, claim or controversy involves an order to buy 10 SPT April 1110 calls on April 16, 2002. Scott & Stringfellow, Inc. ("Claimant") [alleges that Joseph S. Sullivan \("Respondent"\) failed to handle this order properly, resulting in the order not receiving an execution.](#) Claimants request an award against Respondent in the amount of \$6,300.00, which represents the total amount of losses incurred as a result of the failure to execute.

Other Issues Resolved

Not applicable.

Award*

After due deliberation and consideration of the pleadings, documentary evidence, and other submissions of the parties, the undersigned arbitrator, in full and final settlement of all issues in controversy, awards as follows:

Respondents are not responsible for the loss incurred by Claimant. Respondents shall pay half of the forum fees to Claimant.

Forum Fees

Pursuant to Exchange Rule 18.33, the Arbitrator assesses the following forum fees:

Initial Filing Fee	\$ 75.00
Simplified Arbitration Fee	<u>75.00</u>
Total	\$150.00

1. Responsibility for the forum fees is assessed equally between the parties.
2. As noted above, Respondents shall pay to Claimants the sum of \$75.00 for fees previously deposited by Claimants.
3. The Exchange shall retain the forum fees fee in the amount of \$150.00 previously submitted by Claimants.

/s/ Bradford S. Allen
Bradford S. Allen, Public Arbitrator

December 18, 2002
Date

F:\Arb\02NM002\award

* Pursuant to CBOE Rule 18.31, all monetary awards shall be paid within thirty (30) days of receipt unless a motion to vacate has been filed with a court of competent jurisdiction.