

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant
Peter Nalewajk

Case Number: 20-03541

vs.

Respondent
TD Ameritrade, Inc.

Hearing Site: Providence, Rhode Island

Awards are rendered by independent arbitrators who are chosen by the parties to issue final, binding decisions. FINRA makes available an arbitration forum—pursuant to rules approved by the SEC—but has no part in deciding the award.

Nature of the Dispute: Customer vs. Member

This matter proceeded pursuant to Rule 12800 of the Code of Arbitration Procedure (“Code”).

REPRESENTATION OF PARTIES

Claimant Peter Nalewajk appeared pro se.

For Respondent TD Ameritrade, Inc.: James J. Vihstadt, Esq., TD Ameritrade, Omaha, Nebraska.

CASE INFORMATION

Statement of Claim filed on or about: October 16, 2020.

Peter Nalewajk signed the Submission Agreement: October 16, 2020.

CASE SUMMARY

In the Statement of Claim, Claimant asserted the following causes of action: breach of fiduciary duty and negligence. The cause of action relates to Virgin Galactic warrants.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested compensatory damages in the amount of \$2,802.00.

OTHER ISSUES CONSIDERED AND DECIDED

The Arbitrator acknowledges having read the pleadings and other materials filed by the parties.

AWARD

After considering the pleadings, the Arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows:

1. Respondent is liable for and shall pay to Claimant the sum of \$2,140.90 in compensatory damages.
2. FINRA Dispute Resolution Services shall retain the \$175.00 filing fee that Claimant deposited previously.
3. Respondent is liable for and shall pay to Claimant \$87.50 to reimburse Claimant for one half of the filing fee previously paid to FINRA Dispute Resolution Services.
4. Any and all relief not specifically addressed herein are denied.

FEES

Pursuant to the Code:

1. Respondent TD Ameritrade, Inc. has paid to FINRA Dispute Resolution Services the \$150.00 Member Surcharge previously invoiced.

All balances are payable to FINRA Dispute Resolution Services and are due upon receipt.

ARBITRATOR

Robert Titus

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Sole Public Arbitrator

I, the undersigned Arbitrator, do hereby affirm that I am the individual described herein and who executed this instrument, which is my award.

Arbitrator's Signature

Robert Titus

Robert Titus
Sole Public Arbitrator

02/23/2021

Signature Date

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February 24, 2021

Date of Service (For FINRA Dispute Resolution Services use only)