

**AWARD**  
**FINRA DISPUTE RESOLUTION**

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CASE #: 16-01036

Marilyn J. Leatherman vs. Michael D. Bruch and Edward Jones

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**REPRESENTATION OF PARTIES:**

Claimant Marilyn J. Leatherman ("Claimant") appeared *pro se*.

Respondents Michael D. Bruch and Edward Jones ("Respondents"): Paul Yarns, Esq., Edward Jones, St. Louis, Missouri

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**NATURE OF DISPUTE:** Customer vs. Member and Associated Person

Statement of Claim filed on or about: April 6, 2016.

Statement of Answer filed by Respondents on or about: June 21, 2016.

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**CASE SUMMARY:** Claimant asserted the following causes of action: negligence, omission of facts, suitability, and failure to supervise.

The causes of action relate to Claimant's investment in Pioneer High Income Trust.

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**RELIEF REQUESTED:** In the Statement of Claim, Claimant requested:

Compensatory Damages:	\$9,119.00
Punitive Damages:	Unspecified
Treble Damages:	Unspecified

In the Statement of Answer, Respondents requested that the Arbitrator enter an order denying Claimant's request for relief and taxing all of the costs of this matter to Claimant, that expungement be granted to Respondent Michael D. Bruch consistent with FINRA rules and procedures, and such other relief be granted in favor of Respondents as the Arbitrator deems just and proper under the circumstances.

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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) Respondents are jointly and severally liable for and shall pay to Claimant compensatory damages in the amount of \$10,119.00, inclusive of lost dividends on the investment. 2) Respondents are jointly and severally liable for and shall pay to Claimant post-award interest on the amount of \$10,119.00 at the rate of 12% simple interest beginning 30 calendar days after service of the Award until the amount of \$10,119.00 is paid in full. 3) Claimant's request for punitive damages and treble damages are denied. 4) Respondent Michael D. Bruch's request for expungement is denied. 5) All other relief requests are denied. 6) FINRA Office of Dispute Resolution preliminarily deferred the initial filing fee. At the conclusion of this matter, the Arbitrator determined to waive the \$600.00 filing fee.

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**OTHER ISSUES:** The Arbitrator acknowledges that he has read the pleadings and other materials filed by the parties.

On March 27, 2017, the Arbitrator held a telephonic expungement hearing to consider Respondent Michael D. Bruch's request for expungement. Claimant participated in the expungement hearing and opposed the request.

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OTHER FEES: Respondent Edward Jones has paid to FINRA Office of Dispute Resolution the \$1,750.00 Member Surcharge and \$750.00 Member Process fees previously invoiced.

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

One (1) Hearing session on expungement request @ \$450.00/session	= \$450.00
Hearing Date: March 27, 2017 1 session	

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Total Hearing Session Fees	= \$450.00
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The Arbitrator has assessed \$450.00 of the hearing session fees jointly and severally to Respondents.

**ARBITRATOR**

William J. Bender

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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

S/ WILLIAM J. BENDER  
William J. Bender  
Sole Public Arbitrator

4/06/17  
Signature Date

April 10, 2017  
Date of Service (For FINRA-DR office use only)