

Stipulated Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between

Name of Claimant

Patricia P. Storey

Case No. 00-03529

Name of Respondents

Tucker Anthony, Inc.
and Daniel P. Kennedy

REPRESENTATION OF PARTIES

Claimant Patricia Storey ("Claimant" or "Storey") was represented by John J. Barter, Esq., Boston, Massachusetts

Respondents Tucker Anthony, Inc. and Daniel P. Kennedy hereinafter collectively referred to as "Respondents" were represented by David J. Campbell, Esq. of the law firm Bressler, Amery & Ross, P.C., New York, NY

CASE INFORMATION

Statement of Claim filed on: August 14, 2000

Claimant signed the Uniform Submission Agreement: August 11, 2000

Statement of Answer filed by Respondents on: December 4, 2000

Respondent Daniel Kennedy signed the Uniform Submission Agreement: June 4, 2001

CASE SUMMARY

Claimant asserted the following causes of action: (i) Breach of fiduciary duty, (ii) unsuitability, (iii) unauthorized trading, (iv) negligence, (v) violation of the Massachusetts Securities Act, (vi) violation of the Securities and Exchange Act of 1933, (vii) violation of the Securities and Exchange Act of 1934, and (viii) breach of contract.

Respondents denied the claims in the Statement of Claim.

RELIEF REQUESTED

Claimant requested the following damages:

Compensatory Damages	\$80,000.00
Interest	amount unspecified
Punitive Damages	amount unspecified

Respondents requested the following relief:

That the Claim be dismissed with prejudice
Awards of costs

OTHER ISSUES CONSIDERED AND DECIDED

Claimant voluntarily dismissed Daniel Kennedy with prejudice on June 7, 2002. The dismissal was filed with NASD Dispute Resolution on June 17, 2002.

Prior to the conclusion of the hearing, Claimant and Respondents agreed to enter a Stipulation of Award which they executed on the date set forth below. This Stipulation of Award is being submitted to the panel for its consideration and execution. The parties have agreed that the Stipulated Award in this matter may be executed in counterpart copies.

Claimant and Respondent Tucker Anthony then agreed to settle this matter.

AWARD

On June 26, 2002 the parties entered an agreement to present to the panel a Stipulated Award. Now, in lieu of hearing and upon motion of both parties for entry of an award, the written stipulation thereto, the panel hereby grants the motion and enters this award granting the following relief:

- 1) Each party shall bear its own costs and expenses with the exception of fees specified below.
- 2) The panel recommends the expungement of all reference to the above captioned arbitration from Respondent Daniel Kennedy's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notice to Members 99-09, Respondent Daniel Kennedy must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.
- 3) Any and all relief not specifically addressed herein is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Initial claim filing fee	= \$ 225.00
Counterclaim/Cross-claim/Third-Party Claim filing fee	= \$.00

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(s) at the time of the events giving rise to the dispute. In this matter, the member firm Tucker Anthony, Inc. is a party.

Member Surcharge	= \$ 1,000.00
Pre-Hearing Process Fee	= \$ 600.00
<u>Hearing Process Fee</u>	<u>= \$ 1,500.00</u>
Total Member Fees	= \$ 3,100.00

Adjournment Fees

The following adjournment fees are assessed:

Hearing Date(s), adjournment requested by Claimant	= \$.00
Hearing Date(s), adjournment requested by Respondent	= \$.00

Forum Fees and Assessments

The Arbitrator/Panel assesses forum fees for each hearing session conducted. A hearing 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. Forum fees associated with these proceedings are:

(1) Pre-hearing conference session(s) with the Panel.	= \$ 750.00
Pre-hearing conference(s): July 3, 2001	

Total Forum Fees	= \$ 750.00
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1. The Panel(Arbitrator) has assessed \$ 000.00 of the forum fees (jointly and severally) against Claimant.
2. The Panel(Arbitrator) has assessed \$ 750.00 of the forum fees jointly and severally against Respondents.

Administrative Costs

Administrative costs are expenses incurred because a party requested additional services beyond the normal administrative services. These additional services include, but are not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

Claimant, requested service:	= \$.00
Respondent, requested service:	= \$.00

Fee Summary

1. Claimant (Storey) be and hereby is solely liable for:

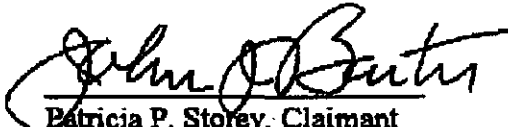
Initial Filing Fee	= \$ 225.00
Member Fees	= \$.00
Adjournment Fee	= \$.00
Forum Fees	= \$.00
<u>Administrative Costs</u>	= \$.00
Total Fees	= \$ 225.00
<u>Less payments</u>	= \$ 225.00
Balance Due NASD Dispute Resolution, Inc.	= \$.00

2. Respondent (Tucker Anthony) be and hereby is solely liable for:

(Type) Filing Fee	= \$.00
Member Fees	= \$ 3100.00
Adjournment Fee	= \$.00
Forum Fees	= \$.00
<u>Administrative Costs</u>	= \$.00
Total Fees	= \$ 3100.00
<u>Less payments</u>	= \$ 3100.00
Balance Due NASD Dispute Resolution, Inc.	= \$.00

All balances are due and payable to NASD Dispute Resolution, Inc.

Parties' Signatures



Patricia P. Storey, Claimant
by her attorney, John Barter, Esq.

Signature Date



Tucker Anthony, Inc.
Respondent

7-11-02

Signature Date

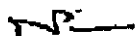
NASD Dispute Resolution
Arbitration No. 00-03529
Award

ARBITRATION PANEL

Robert Pincus, Esq.	-	Public Arbitrator, Presiding Chair
William R. Harding, CPA	-	Public Arbitrator
Theodore R. Turner, Jr.	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

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.



Robert Pincus, Esq.
Public Arbitrator, Presiding Chair

Signature Date

William R. Harding, CPA
Public Arbitrator

Signature Date

Theodore R. Turner, Jr.
Non-Public Arbitrator

Signature Date

August 8, 2002
Date of Service (For NASD Dispute Resolution use only)

NASD Dispute Resolution
Arbitration No. 00-03529
Award

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Theodore R. Turner, Jr.	-	Non-Public Arbitrator

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Robert Pincus, Esq.
Public Arbitrator, Presiding Chair

Signature Date

William R. Harding, CPA
William R. Harding, CPA
Public Arbitrator

7/26/02
Signature Date

Theodore R. Turner, Jr.
Non-Public Arbitrator

Signature Date

August 8, 2002
Date of Service (For NASD Dispute Resolution use only)

NASD Dispute Resolution
Arbitration No. 00-03529
Award

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Robert Pincus, Esq.
Public Arbitrator, Presiding Chair

Signature Date

William R. Harding, CPA
Public Arbitrator

Signature Date



Theodore R. Turner, Jr.
Non-Public Arbitrator

8-8-02

Signature Date

August 8, 2002
Date of Service (For NASD Dispute Resolution use only)