

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 00-4476

Thomas A. Musil, Claimant vs. David Thompson and H&R Block Financial Advisors, Respondents.

ATTORNEYS:

Claimant, Thomas A. Musil ("Claimant"), appeared Pro Se, St. Paul, MN.

For Respondents, David Thompson and H&R Block Financial Advisors ("Respondents"), appeared H&R Block Financial Advisors, Inc.'s in house counsel, Lisa S. Fildes, Detroit, MI.

DATE FILED: October 9, 2000.

CASE SUMMARY: Claimant alleged that Respondent Thompson was negligent in giving tax advice. Claimant further alleged that Respondent Thompson breached his fiduciary duty by misrepresenting tax information given to Claimant and omitting material facts regarding the potential consequences of following Mr. Thompson's advice. Claimant maintained that Respondent H&R Block Financial Advisors, Inc. failed to supervise the actions of Mr. Thompson. As a result of Respondents actions, Claimant suffered a loss of \$10,000.

Claim Data

Claim: \$10,000.00
Filing Fees: \$325.00

Award Data

Award: \$1,250.00
Filing Fees: \$162.50


AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent, David Thompson, is liable and shall pay to the Claimant \$625.00. 2) Respondent, H&R Block Financial Advisors, Inc., is liable and shall pay to the Claimant \$625.00. 3) All other relief requests are denied. 4) The \$325.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the Claimant, shall be retained by NASD Dispute Resolution, Inc. 5) Respondents are jointly and severally liable and shall pay Claimant \$162.50 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent, H&R Block Financial Advisors, Inc., has paid to NASD Dispute Resolution, Inc. the \$300.00 Member Surcharge previously invoiced.

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Award 00-4479

AFFIRMATION

I, Jay C. Fogelberg, 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.



Jay C. Fogelberg, Esq.

March 15, 2001

Date of award