

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 01-01066

Anthony Scott and Linda Kathryn Head, Claimants vs. Birchtree Financial Services, Katrina B. Gray and Douglas M. Day, Respondents.

ATTORNEYS:

For Claimants, Anthony Scott Head and Linda Kathryn Head, appeared William J. Gladden, Esq., Savannah, GA.

For Respondents, Birchtree Financial Services, Katrina B. Gray and Douglas M. Day appeared Anthony J. Durone, Esq. of the firm Berkowitz, Feldmiller, Stanton, Brandt. Kansas City, MO.

DATE FILED: March 2, 2001

CASE SUMMARY: Claimants alleged that respondents were negligent with claimant's account. Claimant further alleged that respondents executed unauthorized trades and made unsuitable recommendations without regard to claimant's investment objectives.

Claim Data

Claim: \$24,028.00
Interest: \$7,967 based on rate of 8%
per annum on total of \$99,587
Attorney Fees: Unspecified
Filing Fees: \$425.000
Costs: \$2,600.00
Other: Unspecified

Award Data

Award: \$.00
Interest: \$.00
Attorney Fees: \$.00
Filing Fees: \$.00
Costs: \$.00
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The claims of claimant are dismissed in their entirety. 2) All requests for attorney fees are denied. 3) All other relief requests are denied. 4) The \$425.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the claimant, shall be retained by NASD Dispute Resolution, Inc.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent, Birchtree Financial Services has paid to NASD Dispute Resolution, Inc. the \$400.00 Member Surcharge previously invoiced.

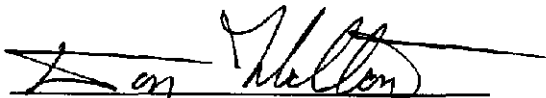
Page Two
Award 01-01066

Donald M. Helton

Sole Public Arbitrator

AFFIRMATION

I, Donald M. Helton, 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.


Donald M. Helton

1-29-02
Signature Date

February 5, 2002
Date of Service (For NASD-DR office use only)