

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE:01-01434

Eileen M. Warren, claimant vs. Waddell & Reed, Inc. and Kenneth L. Sheets, respondents.

ATTORNEYS:

For Claimant appeared Jon M. Lacy, CFP, Diamond Springs, CA.

For Respondents appeared Anthoney J. Durone and Charles D. Marvine, Esq., of the firm Berkowitz, Feldmiller, Stanton, et al, Kansas City, MO.

DATE FILED: March 21, 2001

CASE SUMMARY: Claimant alleged that respondents failed to respond to telephonic request regarding disposition of securities and misstated the amount of potential capital gains tax, which would be due from the sale of her mutual funds thereby causing a loss to her account.

Claim Data

Claim: \$1,057.07
Punitive: \$2,000.00
Attorney Fees: \$500.00
Filing Fees: unspecified
Other costs: \$1,400.00

Award Data

Award: \$.00
Punitive: \$.00
Attorney Fees: \$.00
Filing Fees: \$.00
Other costs: \$.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 requests for punitive damages are denied. 4) All other relief requests are denied. 5) The \$175.00 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 Waddell & Reed, Inc., has paid to NASD Dispute Resolution, Inc. the \$200.00 Member Surcharge previously invoiced.

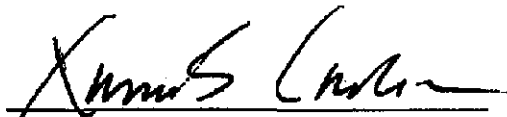
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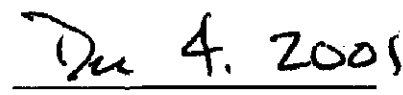
James S. Carlson

Sole Public Arbitrator

AFFIRMATION

I, James S. Carlson, 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.


James S. Carlson


Signature Date

December 13, 2001
Date of Service (For NASD-DR office use only)