

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 01-02065

Jurgen Wagener, Claimant vs. Merrill Lynch Pierce Fenner & Smith, Respondent.

ATTORNEYS:

Claimant, Jurgen Wagener, ("Claimant"), appeared Pro Se., Kaarst, Germany

For Respondent, Merrill Lynch Pierce Fenner & Smith, ("Respondent"), appeared in-house counsel, Yosef Sinensky, Esq., New York, NY.

DATE FILED: April 24, 2001

CASE SUMMARY: Claimant alleged that Respondent acted negligently and failed to carry out a sell order by fax as requested. Claimant maintained that as a result of Respondent's actions, he suffered financial losses.

Claim Data

Claim: \$1,317.00
Filing Fees: unspecified
Other: unspecified

Award Data

Award: \$1,317.00
Filing Fees: \$75.00
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is liable and shall pay to the Claimant \$1,317.00. 2) All other relief requests are denied. 3) The \$75.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the Claimant, shall be retained by NASD Dispute Resolution, Inc. 4) Respondent is liable and shall pay Claimant \$75.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent has paid to NASD Dispute Resolution, Inc. the \$150.00 Member Surcharge previously invoiced.

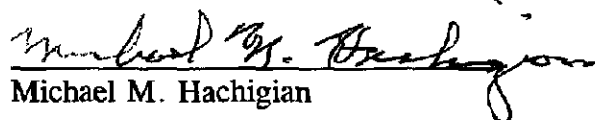
Page Two
Award 01-02065

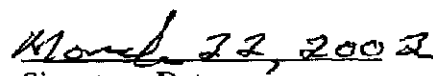
Michael M. Hachigian

Sole Public Arbitrator

AFFIRMATION

I, Michael M. Hachigian, 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.


Michael M. Hachigian


Signature Date

April 1, 2002
Date of Service (For NASD-DR office use only)