
Stipulated Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Name of the Claimant

Sharon Huckins

Case Number: 02-04682

Names of the Respondents

Merrill Lynch, Pierce, Fenner & Smith Incorporated
Todd S. Griffith

Hearing Site: Tampa, Florida

REPRESENTATION OF PARTIES

For Sharon Huckins, hereinafter referred to as "Claimant": William B. Taylor, IV, Esq., Macfarlane, Ferguson & McMullen, Tampa, Florida.

For Merrill Lynch, Pierce, Fenner & Smith Incorporated ("Merrill Lynch") and Todd S. Griffith ("Griffith"), hereinafter collectively referred to as "Respondents": Patricia M. Christiansen, Esq., Boose, Casey, Ciklin, Lubitz, Martens, McBane & O'Connell, West Palm Beach, Florida.

CASE INFORMATION

Statement of Claim filed on or about: August 6, 2002.

Claimant signed the Uniform Submission Agreement: August 6, 2002.

Statement of Answer filed by Respondents on or about: December 6, 2002.

Respondent Merrill Lynch signed the Uniform Submission Agreement: October 2, 2002.

Respondent Griffith signed the Uniform Submission Agreement: October 2, 2002.

CASE SUMMARY

Claimant asserted the following causes of action: 1) breach of fiduciary duty; 2) negligent supervision; and, 3) unsuitable recommendations. The causes of action relate to the purchase and sale of various, unspecified stocks in Claimant's account.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$1,018,687.48, interest, costs, forum fees and attorney's fees.

Respondents requested that the Statement of Claim be dismissed in its entirety and costs. In addition,

Respondent Griffith requested that the Panel enter an order expunging this matter from his NASD Central Registration Depository ("CRD") record.

OTHER ISSUES CONSIDERED AND DECIDED

On or about August 1, 2003, the parties informed NASD Dispute Resolution that they had mediated and settled this matter.

On or about September 2, 2003, the parties submitted to NASD Dispute Resolution an agreed to, proposed Stipulated Award, wherein, as part of their Stipulation and Agreement of Settlement, they entered into a stipulation for dismissal, which included a request for expungement of all references to this matter from Respondent Griffith's registration records maintained by the NASD CRD.

The parties have agreed that the Stipulated Award in this matter may be entered in counterpart copies or that a signed handwritten Stipulated Award may be entered. The parties have further agreed that the Stipulated Award may be executed by a single member of the Panel.

AWARD

After considering the pleadings and the proposed Stipulated Award with request for expungement, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

Claimant's withdrawal of her claims is accepted and Respondents are dismissed from this matter, with prejudice.

The Panel recommends the expungement of all references to the above captioned arbitration from Respondent Griffith's registration records maintained by the NASD CRD, with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, Respondent Griffith must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.

FEES

Pursuant to the NASD Code of Arbitration Procedure (the "Code"), the following fees are assessed:

Filing Fees

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

Initial claim filing fee = \$500.00

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 at the time of the events giving rise to the dispute. Accordingly, Merrill Lynch is a party to this dispute and was a member of NASD at the time the following fees were assessed:

Member surcharge = \$2,800.00

Pre-hearing process fee = \$ 750.00

Hearing process fee = \$5,000.00

Adjournment Fees

No requests for adjournments were filed in this matter.

Injunctive Relief Fees

No injunctive relief fees were incurred during this proceeding.

Forum Fees and Assessments

The Panel has assessed forum fees for each session conducted. A session is any meeting between the parties and the arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with Panel @ \$1,200.00	= \$1,200.00
Pre-hearing conference: April 11, 2003 1 session	
Total Forum Fees	= \$1,200.00

The Panel has assessed \$600.00 of the forum fees to Claimant.

The Panel has assessed \$600.00 of the forum fees jointly and severally to Respondents.

Administrative Costs

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

Claimant requested copies of documents from the file:	= \$ 105.75
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Fee Summary

Claimant is solely liable for:

Initial Filing Fee	= \$ 500.00
Administrative Fees	= \$ 105.75
Forum Fees	= \$ 600.00
Total Fees	= \$ 1,205.75
Less payments	= \$ 1,205.75
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondent Merrill Lynch is solely liable for:

Member Fees	= \$ 8,550.00
Total Fees	= \$ 8,550.00
Less payments	= \$ 8,550.00
Balance Due NASD Dispute Resolution	= \$ 0.00

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Respondents are jointly and severally liable for:

<u>Forum Fees</u>	= \$ 600.00
<u>Total Fees</u>	= \$ 600.00
<u>Less payments</u>	= \$ 0.00
<u>Balance Due NASD Dispute Resolution</u>	= \$ 600.00

All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATOR

Patricia Gunn Zimmerman, CPA

Public Arbitrator, Presiding Chairperson

Arbitrator's Signature

/s/

Patricia Gunn Zimmerman, CPA
Public Arbitrator, Presiding Chairperson

9/8/03

Signature Date

9/12/03

Date of Service (For NASD Dispute Resolution office use only)

Respondents are jointly and severally liable for:

Forum Fees	= \$ 600.00
Total Fees	= \$ 600.00
Less payments	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$ 600.00

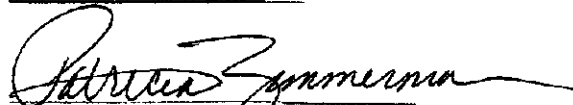
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Patricia Gunn Zimmerman CPA

Public Arbitrator, Presiding Chairperson

Arbitrator's Signature



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Public Arbitrator, Presiding Chairperson

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