

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 02-04701

Richard Clark, claimant vs. Merrill Lynch, Pierce, Fenner & Smith, Inc. and Deborah Buzick, respondents.

ATTORNEYS:

Claimant appeared pro se, Toronto, ON.

For Respondents appeared in-house counsel, Richard Kim, Esq., New York, NY.

DATE FILED: August 9, 2002

CASE SUMMARY: Claimant alleged that respondents made misrepresentations regarding trades made in his account. Claimant further contended that respondents failed to credit him for erroneous trades made in his account. Claimant maintained that due to respondents' actions the account suffered losses.

Claim Data

Claim: \$2,356.63
Punitive: \$2,500.00
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$.00
Punitive: \$.00
Filing Fees: \$.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 punitive damages are denied. 3) All other relief requests are denied. 4) The \$175.00 filing fee previously deposited with NASD Dispute Resolution by the claimant, shall be retained by NASD Dispute Resolution.

OTHER FEES: Pursuant to Rule 10333 of the Code, respondent Merrill Lynch, Pierce, Fenner & Smith, Inc., has paid to NASD Dispute Resolution the \$200.00 Member Surcharge previously invoiced.

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Award 02-04701

Neil J. Beller, Esq.


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Sole Public Arbitrator

AFFIRMATION

I, Neil J. Beller, Esq., 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.


Neil J. Beller, Esq.


Signature Date

January 31, 2003
Date of Service (For NASD-DR office use only)