

Stipulated Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

George and Linda Dooley, Claimants v. Linsco/Private Ledger Corp., and Treena L. Tipton,
Respondents

Case Number: 02-04763

Hearing Site: Seattle, Washington

Nature of the Dispute: Customers v. Member and Associated Person

REPRESENTATION OF PARTIES

For Claimants:

Christopher Howard, Esq.
Holland & Knight LLP
Seattle, Washington

For Respondents:

David J. Freniere, Esq.
Linsco/Private Ledger Corp.
Boston, Massachusetts

CASE INFORMATION

Statement of Claim filed: August 11, 2002

Claimants' Joint Uniform Submission Agreement signed: August 2, 2002

Joint Statement of Answer filed by Respondents Linsco/Private Ledger Corp. and Treena L. Tipton: October 9, 2002

Respondent Linsco/Private Ledger Corp.'s Uniform Submission Agreement signed:
August 26, 2002

Respondent Treena L. Tipton's Uniform Submission Agreement signed: September 10, 2002

CASE SUMMARY

Claimants alleged negligence, breach of fiduciary duty, violation of NASD and NYSE suitability rules, violation of Washington State Securities Act and Washington common law. Claimants' concerned mutual funds such as Janus Special Situations, Janus Mercury, PBHG Technology & Communications Fund, Putman International Voyager Fund, Tocqueville Small Cap Value Fund Class A, and Van Kampen Emerging Growth Fund.

Respondents denied the allegations of wrongdoing set forth in Claimants' Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimants requested \$208,775.00 in compensatory damages and interest.

Respondents requested dismissal of Claimants' Statement of Claim in its entirety, expungement of this matter from Respondent Treena L. Tipton's CRD records, and costs, including attorney's fees.

OTHER ISSUES CONSIDERED AND DECIDED

The parties agreed that the Stipulated Award in this matter may be executed in counterpart copies.

AWARD

After considering the pleadings and the Parties' request for this Stipulated Award, the Panel decided in full and final resolution of the issues submitted for determination as follows:

1. All claims are dismissed with prejudice.
2. Respondents shall pay to Claimant the dollar amount that was agreed to pursuant to a Settlement and Release Agreement that was entered into by the parties.
3. The Panel recommends the expungement of all reference to the above captioned arbitration from Respondent Treena L. Tipton's registration records maintained by NASD's Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notice 99-09, Respondent Treena L. Tipton must obtain confirmation from a court of competent jurisdiction before CRD will execute the expungement directive.
4. The parties shall bear their respective costs, including attorney's fees.
5. All other relief requested and not expressly granted is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Initial claim filing fee	= \$ 300.00
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Member Fees

Member fees are assessed to each member firm that is either a party in the matter or an employer of a respondent associated person at the time of the events, which gave rise to the dispute, claim, or controversy. Accordingly, the member firm Linsco/Private Ledger Corp. is a party and the following fees are assessed:

Member Surcharge	= \$ 1,700.00
Pre-Hearing Process Fee	= \$ 750.00
<u>Hearing Process Fee</u>	<u>= \$ 2,750.00</u>
Total Member Fees	= \$ 5,200.00

Adjournment Fees

The following adjournment fees are assessed:

June 25-26, 2003 adjournment requested by Claimants	= waived
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Forum Fees and Assessments

The Panel assessed a forum fee for each pre-hearing conference or hearing session conducted. A pre-hearing conference and hearing session is any meeting between the parties and the Panel. The following fees are assessed:

One (1) pre-hearing conference session with the Panel @ \$1,125.00/session	= \$ 1,125.00
Pre-hearing conference: February 7, 2003 1 session	
<u>Total Forum Fees</u>	<u>= \$ 1,125.00</u>

1. The Panel assessed \$ 562.50 of the forum fees jointly and severally to Claimants.
2. The Panel assessed \$ 562.50 of the forum fees jointly and severally to Respondents.

Fee Summary

1. Claimants George and Linda Dooley are charged jointly and severally with the following fees and costs:

Initial Filing Fee	= \$ 300.00
<u>Forum Fees</u>	<u>= \$ 562.50</u>
Total Fees	= \$ 862.50
Retained Deposit Pursuant to Rule 10332(f)	= \$ 562.50
<u>Less payments</u>	<u>= \$ (1,425.00)</u>
Balance Due NASD Dispute Resolution	= \$ (0.00)

2. Respondent Linsco/Private Ledger Corp. is charged with the following fees and costs:

Member Fees	= \$ 5,200.00
<u>Less payments</u>	<u>= \$ (5,200.00)</u>
Balance Due NASD Dispute Resolution	= \$ 0.00

3. Respondents Linsco/Private Ledger Corp. and Treena L. Tipton are charged jointly and severally with the following fees and costs:

<u>Forum Fees</u>	<u>= \$ 562.50</u>
Balance Due NASD Dispute Resolution	= \$ 562.50

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

NASD Dispute Resolution
Arbitration No. 02-04763
Stipulated Award Page 3 of 3

ARBITRATION PANEL

Ernest D. Greco
James M. Shaker
William J. Rex

Public Arbitrator, Presiding Chair
Public Arbitrator
Non-Public Arbitrator

Concurring Arbitrators' Signatures


Ernest D. Greco
Chair, Public Arbitrator

11-30-04
Signature Date

James M. Shaker
Public Arbitrator

Signature Date

William J. Rex
Non-Public Arbitrator

Signature Date

12/1/04
Date of Service

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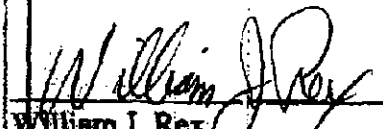
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