

Claimant Morgan Keegan & Company, Inc. requested the following damages:

Compensatory Damages	\$241,964.82
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Interest

amount unspecified

Respondent James R. Starkey requested all claims against him be dismissed and Claimant Morgan Keegan & Company, Inc. reimburse him all costs associated with this proceeding, including attorneys' fees.

#### OTHER ISSUES CONSIDERED AND DECIDED

Prior to the hearing, the Parties fully and finally settled all claims by and between them. Therefore, the Parties submit this Stipulated Award to the Panel for its consideration and request that it be entered.

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

#### AWARD

Pursuant to the above, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Respondent James R. Starkey shall pay Claimant Morgan Keegan & Company, Inc. compensatory damages in the amount of \$269,500.00;
2. The Panel recommends the expungement of all reference to the above captioned arbitration from Respondent James R. Starkey's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, Respondent James R. Starkey must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive;
3. The parties shall bear their respective costs, including attorney's fees, except as Fees are specifically addressed below; and
4. Any and all relief not specifically addressed herein, including punitive damages is denied in its entirety.

#### FEES

Pursuant to 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 = \$1,000.00

#### Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firms that employed the associated person(s) at the time of the events giving rise to the dispute. Accordingly, Claimant Morgan Keegan & Company, Inc. is a party.

Member surcharge	= \$1,700.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$2,750.00
Total Member Fees	= \$5,200.00

#### Forum Fees and Assessments

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

Two (2) Pre-hearing sessions with a single arbitrator @ \$450.00	= \$ 900.00
Pre-hearing conferences: April 2, 2003 1 session	
May 23, 2003 1 session	

One (1) Pre-hearing session with Panel @ \$1,125.00	= \$1,125.00
Pre-hearing conference: March 18, 2003 1 session	

One (1) Hearing session @ \$1,125.00	= \$1,125.00
Hearing Date: June 24, 2003 1 session	

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Total Forum Fees	= \$3,150.00
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1. The Panel has assessed \$1,575.00 of the forum fees to Claimant Morgan Keegan & Company, Inc.
2. The Panel has assessed \$1,575.00 of the forum fees to Respondent James R. Starkey.

#### FEE SUMMARY

1. Claimant Morgan Keegan & Company, Inc. is assessed and shall pay the following fees:

Initial Filing Fee	= \$1,000.00
Member Fees	= \$5,200.00
Forum Fees	= \$1,575.00
Total Fees	= \$7,775.00
Less payments	= \$7,325.00
Balance Due NASD Dispute Resolution	= \$ 450.00

2. Respondent James R. Starkey is assessed and shall pay the following fees:

Forum Fees	= \$1,575.00
Total Fees	= \$1,575.00
Less payments	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$1,575.00

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

ARBITRATION PANEL

F. John Herrmann	-	Non-Public Arbitrator, Presiding Chairperson
Glenn A. Clinefelter	-	Non-Public Arbitrator, Panelist
Laura A. Ledford	-	Non-Public Arbitrator, Panelist

Concurring Arbitrators' Signatures

F. John Herrmann

F. John Herrmann  
Non-Public Arbitrator, Presiding Chairperson

APRIL 30, 2004

Signature Date

Glenn A. Clinefelter  
Non-Public Arbitrator, Panelist

Signature Date

Laura A. Ledford  
Non-Public Arbitrator, Panelist


Signature Date

May 7, 2004  
Date of Service (For NASD Dispute Resolution office use only)

Concurring Arbitrators' Signatures

\_\_\_\_\_  
F. John Herrmann  
Non-Public Arbitrator, Presiding Chairperson

\_\_\_\_\_  
Signature Date

  
Glenn A. Clinefelter  
Non-Public Arbitrator, Panelist

4/26/04  
Signature Date

\_\_\_\_\_  
Laura A. Ledford  
Non-Public Arbitrator, Panelist

\_\_\_\_\_  
Signature Date

May 7, 2004  
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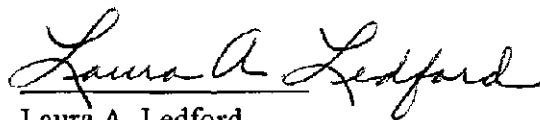
Concurring Arbitrators' Signatures

\_\_\_\_\_  
F. John Herrmann  
Non-Public Arbitrator, Presiding Chairperson

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Glenn A. Clinefelter  
Non-Public Arbitrator, Panelist

\_\_\_\_\_  
Signature Date

  
\_\_\_\_\_  
Laura A. Ledford  
Non-Public Arbitrator, Panelist

4/22/04  
\_\_\_\_\_  
Signature Date

May 7, 2004  
\_\_\_\_\_  
Date of Service (For NASD Dispute Resolution office use only)