

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION**

CASE: 02-05166

Domenic J. Grano and Jeanne L. Grano, claimant vs. Brian Burns and Merrill Lynch, Pierce, Fenner and Smith Inc., respondents.

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**ATTORNEYS:**

Claimants appeared pro se through Domenic Grano, Sparta, NY.

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

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DATE FILED: September 3, 2002

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**CASE SUMMARY:** Claimants alleged that respondents failed to timely sell their mutual funds and forward the proceeds as requested. Claimants maintained that due to respondents' actions, the account suffered losses.

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**Claim Data**

Claim: \$4,047.63  
Interest: \$263.12  
Filing Fees: \$175.00  
Other: Unspecified

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**Award Data**

Award: \$4,047.63  
Interest: \$.00  
Filing Fees: \$175.00  
Other: \$.00

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**AWARD:** The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents are jointly and severally liable and shall pay to the claimants \$4,047.63. 2) All requests for interest are denied. 3) All other relief requests are denied. 4) The \$175.00 filing fee previously deposited with NASD Dispute Resolution by the claimants, shall be retained by NASD Dispute Resolution. 5) Respondents are jointly and severally liable and shall pay claimant \$175.00 as reimbursement of the filing fee.

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

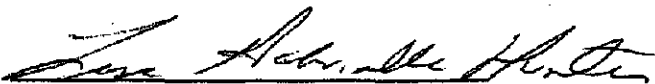
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Award 02-05166

Lisa Gabrielle Hunter, Esq.

Sole Public Arbitrator

**AFFIRMATION**

I, Lisa Gabrielle, Esq., do hereby affirm, pursuant to Article 7507 of the Civil Practice Law and Rules, that I am the individual described herein, and who executed this instrument which is my award.



Lisa Gabrielle Hunter, Esq.

1/31/03  
Signature Date

February 6, 2003

Date of Service (For NASD-DR office use only)