

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 02-05459

Estate of Jerome A. Mullett, Claimant vs. Kathy Day and Jennifer Lamonica, Respondents.

ATTORNEYS:

Claimant, Jerome A. Mullett, appeared pro se., Westminster, MD

For Respondents, Kathy Day and Jennifer Lamonica, appeared Patrick M. Dennis, Esq., in-house counsel for Wachovia Securities, Richmond, VA.

DATE FILED: September 13, 2002

CASE SUMMARY: Claimant alleged that Respondents failed to timely transfer IRA funds to T Rowe Price Health Science Fund as requested. Claimant maintained that due to Respondent's action, he suffered financial losses.

Claim Data

Claim: \$3,463.00
Punitive: \$1,000.00
Interest: \$206.00

Filing Fees: \$300.00
Other: unspecified

Award Data

Award: \$3,414.97
Punitive: \$.00
Interest: 6% per annum from 3/8/02 to 1/21/03
Filing Fees: \$175.00
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents are jointly and severally liable and shall pay to the claimant \$3,414.97. 2) Respondents are jointly and severally liable and shall pay to the claimant interest at a rate of 6% per annum from March 8, 2002 to January 21, 2003. 3) All requests for punitive damages are denied. 4) All other relief requests are denied. 5) The \$175.00 filing fee previously deposited with NASD Dispute Resolution by the claimant, shall be retained by NASD Dispute Resolution. 6) Respondents are jointly and severally liable and shall pay claimant \$175.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Wachovia Securities has paid to NASD Dispute Resolution the \$200.00 Member Surcharge previously invoiced.

OTHER ISSUE: Respondents' Motion to Dismiss was denied by the Arbitrator.

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Award 02-05459

Robert O. Harris, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Robert O. Harris, 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.

Robert O. Harris
Robert O. Harris, Esq.

5/19/03
Signature Date

May 15, 2003
Date of Service (For NASD-DR office use only)