

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 02-05680

Brian Wirth, claimant vs. Morgan Keegan, Inc., respondent.

ATTORNEYS:

Claimant appeared pro se, Nokomis, FL.

For Respondent appeared in-house counsel, J.P. Brizzolara, Esq., Memphis, TN.

DATE FILED: September 23, 2002

CASE SUMMARY: Claimant/counterclaim respondent alleged that respondent/counterclaim claimant sold shares of Reliant Energy, Inc. and Aquila Inc. from his account without his authorization. Claimant/counterclaim respondent maintained that due to respondent's/counterclaim claimant's actions, the account suffered losses.

COUNTERCLAIM SUMMARY: Counterclaim claimant/respondent alleged that counterclaim respondent/claimant failed to repay monies owed on the margin debt in his account.

Claim Data

Claim: \$22,500.00
Filing Fees: unspecified
Other: unspecified

Award Data

Award: \$.00
Filing Fees: \$.00
Other: \$.00

Counterclaim Data

Claim: \$6,801.92
Filing Fees: Unspecified
Other: Unspecified

Counterclaim Award Data

Claim: \$6,801.92
Filing Fees:
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/counterclaim respondent are dismissed in their entirety. 2) All other relief requests are denied. 3) The \$425.00 filing fee previously deposited with NASD Dispute Resolution by the claimant/counterclaim respondent, shall be retained by NASD Dispute Resolution.

COUNTERCLAIM AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Counterclaim respondent/claimant is liable and shall pay counterclaim claimant/respondent \$6,801.92. 2) All other relief requests are denied. 3) The 750.00 filing fee previously deposited with NASD Dispute Resolution by the counterclaim claimant/respondent, shall be retained by NASD Dispute Resolution.

OTHER FEES: Pursuant to Rule 10333 of the Code, respondent/counterclaim claimant has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

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Elena G. Rodriguez

Sole Public Arbitrator

AFFIRMATION

I, Elena G. Rodriguez, 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.

Elena Rodriguez
Elena G. Rodriguez

1/21/2003
Signature Date

January 30, 2003
Date of Service (For NASD-DR office use only)