

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

CASE: 02-06253

Marilyn J. Peskin, IRA, claimant vs. Evan Farrell, Claire E. Holmes, and Wachovia Securities Inc., respondents.

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**ATTORNEYS:**

Claimant appeared pro se, Pompano Beach, Fl.

For Respondents appeared in-house counsel Andrew R. Park, Esq., Richmond, VA.

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DATE FILED: October 18, 2002

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**CASE SUMMARY:** Claimant alleged that respondents misrepresented facts regarding her investments and were negligent in the handling of her account. Claimant maintained that because of respondents' actions, her account suffered a loss.

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**Claim Data**

Claim: \$6,180.02  
Punitive: \$1,000.00  
Filing Fees: \$325.00

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**Award Data**

Award: \$1,440.00  
Punitive: \$.00  
Filing Fees: \$325.00

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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) The claims against respondent Claire E. Holmes are dismissed in their entirety. 2) Respondents, Evan Farrell and Wachovia Securities Inc., are liable and shall pay to the claimant \$1,440.00. 3) All requests for punitive damages are denied. 4) All other relief requests are denied. 5) The \$325.00 filing fee previously deposited with NASD Dispute Resolution by the claimant, shall be retained by NASD Dispute Resolution. 6) Respondent, Wachovia Securities Inc., is liable and shall pay claimant \$325.00 as reimbursement of the filing fee.

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**OTHER FEES:** Pursuant to Rule 10333 of the Code, respondent, Wachovia Securities Inc., has paid to NASD Dispute Resolution the \$325.00 Member Surcharge previously invoiced.

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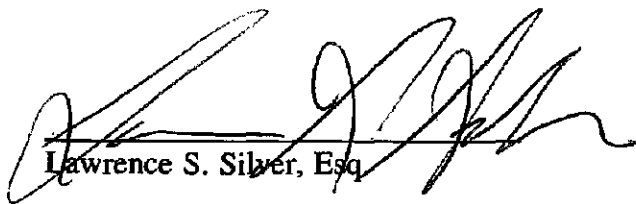
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Award 02-06253

Lawrence S. Silver, Esq.

Sole Public Arbitrator

**AFFIRMATION**

I, Lawrence S. Silver, Esq., 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.

  
Lawrence S. Silver, Esq.

  
Signature Date

March 12, 2003  
Date of Service (For NASD-DR office use only)