

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

CASE: 02-07370

Darlene M. Gates, Claimant vs. Merrill Lynch Pierce, Fenner & Smith, Inc. and Brent Hanson, Respondents.

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**ATTORNEYS:**

Claimant, Darlene M. Gates, ("Claimant") appeared pro se., Brainerd, MN.

Respondents, Merrill Lynch Pierce, Fenner & Smith, Inc. and Brent Hanson, (collectively "Respondents") appeared through their in-house counsel, Richard Kelly, Esq., New York, NY.

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DATE FILED: December 3, 2002.

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**CASE SUMMARY:** Claimant alleged that Respondents conducted unsuitable broker negligence in the managing of her account. Claimant maintained that due to Respondents' actions, she suffered financial losses. Claimant's claim involved various stocks.

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**Claim Data**

Claim: \$24,938.00  
Filing Fees: \$425.00  
Other: Unspecified

**Award Data**

Award: \$.00  
Filing Fees: \$212.50  
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) The claims of Claimant 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, shall be retained by NASD Dispute Resolution. 4) Respondent Merrill Lynch, Pierce Fenner & Smith, Inc. is liable and shall pay Claimant \$106.25 as reimbursement of 25% of the filing fee. 5) Respondent Brent Hanson is liable and shall pay Claimant \$106.25 as reimbursement of 25% of the filing fee.

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**OTHER FEES:** Pursuant to Rule 10333 of the Code, Respondent Merrill Lynch Pierce Fenner & Smith Inc. has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

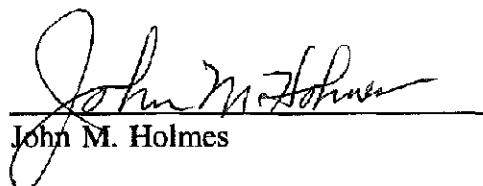
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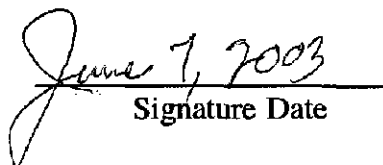
John M. Holmes

Sole Public Arbitrator

**AFFIRMATION**

I, John M. Holmes, 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.

  
John M. Holmes

  
Signature Date

June 16, 2003  
Date of Service (For NASD-DR office use only)