

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE:02-07647

Dina Lombardi, Claimant vs. Merrill Lynch Pierce Fenner & Smith, Inc., Respondent.

ATTORNEYS:

For Claimant, Dina Lombardi, ("Claimant"), appeared Adam S. Doner, Esq. of the Law Offices of Gordon & Doner, P.A., Palm Beach Gardens, FL.

For Respondent, Merrill Lynch Pierce Fenner & Smith, Inc., ("Respondent"), appeared Julie M. Russo, Esq., of the Law Offices of Morgan Lewis & Bockius LLP, Miami, FL.

NATURE OF DISPUTE: Customer v. Member

DATE FILED: December 19, 2002

CASE SUMMARY: Claimant alleged that Respondent breached its fiduciary duty to her, was negligent, intentionally ignored her instructions, employed fraudulent devises and schemes, and recommended and purchased unsuitable investments for her account. Claimant maintained that due to Respondent's actions, her account suffered financial losses.

Claim Data

Claim: \$22,453.00
Interest: Unspecified
Attorney Fees: Unspecified
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$.00
Interest: \$.00
Attorney Fees: \$.00
Filing Fees: \$212.50
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 are dismissed in their entirety. 2) All requests for attorney fees are denied. 3) All requests for interest are denied. 4) All other relief requests are denied. 5) The \$425.00 filing fee previously deposited with NASD Dispute Resolution by the Claimant, shall be retained by NASD Dispute Resolution. 6) Respondent is liable and shall pay Claimant \$212.50 as reimbursement of one-half of the filing fee.

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.

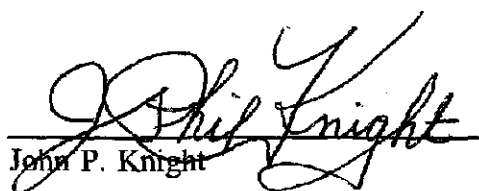
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John P. Knight

Sole Public Arbitrator

AFFIRMATION

I, John P. Knight, 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 P. Knight


Signature Date

October 29, 2003
Date of Service (For NASD-DR office use only)