

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 03-00027

Joseph P. Labriola, Claimant vs. Patrick Botula and UBS PaineWebber, Inc., Respondents.

ATTORNEYS:

Claimant, Joseph P. Labriola, ("Claimant") appeared pro se., Pittsburgh, PA.

Respondents, Patrick Botula and UBS PaineWebber, Inc., (collectively "Respondents") appeared through their in-house counsel, Heather A. Wright, Esq., New York, NY.

DATE FILED: January 3, 2003

CASE SUMMARY: Claimant alleged that Respondents failed to execute on time an order to transfer assets of Medwig, Labriola Profit Sharing Plan, now a new partnership-Labriola Neighbors LLP - to a new custodian account for the new firm. Claimant maintains that due to Respondents' actions, he suffered financial losses.

Claim Data

Claim: \$23,084.00
Interest: \$1,878.00
Filing Fees: \$425.00
Other: Unspecified

Award Data

Award: \$8,000.00
Interest: \$.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) Claimant's claims against Respondent Patrick Botula are dismissed in their entirety. 2) Respondent, UBS PaineWebber is liable and shall pay to the Claimant \$8,000.00. 3) All other relief requests are denied. 4) The \$425.00 filing fee previously deposited with NASD Dispute Resolution by the Claimant, shall be retained by NASD Dispute Resolution. 5) Respondent, UBS PaineWebber 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, UBS PaineWebber Inc., has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

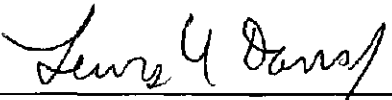
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Lewis U. Davis, Jr.

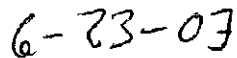
Sole Public Arbitrator

AFFIRMATION

I, Lewis U. Davis, Jr., 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.



Lewis U. Davis, Jr.



Signature Date

July 9, 2003

Date of Service (For NASD-DR office use only)