

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

CASE: 03-00210

Dennis E. Freed IRA & Roth IRA Claimant vs. UBS PaineWebber, Inc., Joseph A. DePaula, Patrick M. Mendenhall, and Jeanne Selian, Respondents.

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**ATTORNEYS:**

Claimant, Dennis E. Freed, ("Claimant"), appeared pro se, Katy, TX.

Respondents, UBS PaineWebber, Inc., Joseph A. DePaula, Patrick M. Mendenhall, and Jeanne Selian, (collectively "Respondents"), appeared through their in-house counsel, Ted W. Lieu, Esq., Los Angeles, CA.

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DATE FILED: January 10, 2003

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**CASE SUMMARY:** Claimant alleged that Respondents were negligent, and failed to follow his written and verbal instructions when transferring his Traditional and Roth IRAs from their custodianship to The Vanguard Group. Claimant maintained that due to Respondents' actions, the accounts suffered losses.

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**Claim Data**

Claim: \$20,138.74  
Interest: \$1,409.71  
Filing Fees: \$875.00  
Other: Liquidate shares

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**Award Data**

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

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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 requests for interest are denied. 3) The arbitrator recommends the expungement of all reference to the above captioned arbitration from Respondents, Joseph A. DePaula's, Patrick M. Mendenhall's, and Jeanne Selian's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notice to Members 99-09, Respondents, Joseph A. DePaula, Patrick M. Mendenhall, and Jeanne Selian must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive. 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.

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**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.

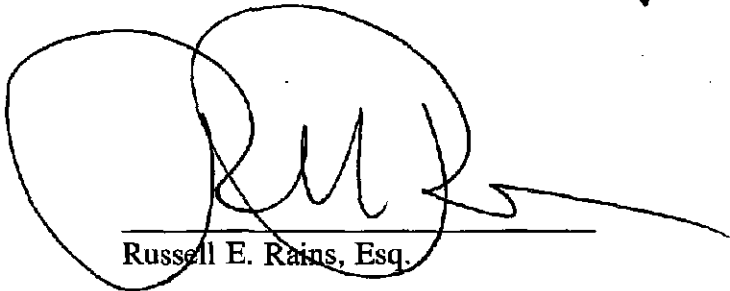
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Award 03-00210

Russell E. Rains, Esq.

Sole Public Arbitrator

**AFFIRMATION**

I, Russell E. Rains, 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.



Russell E. Rains, Esq.

22 Sept 2003

Signature Date

October 2, 2003

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