

**Stipulated Award
NASD Dispute Resolution**

In the Matter of the Arbitration Between:

Names of the Claimants

Case Number: 03-00566

Martin & Yvonne DuRoss
Martin DuRoss IRA
Martin DuRoss Roth IRA
Yvonne DuRoss IRA
Yvonne DuRoss Roth IRA
Martin DuRoss
Martin & Yvonne DuRoss, JTWROS
Martin DuRoss IRA
Yvonne DuRoss IRA

Names of the Respondents

Hearing Site: Washington, D.C.

McDonald Investments Inc.
James Richard Haught, II
Raymond James & Associates, Inc.

Nature of the Dispute: Customer vs. Member and Associated Person

REPRESENTATION OF PARTIES

For Martin & Yvonne DuRoss, Martin DuRoss IRA (McDonald Investments Inc.), Martin DuRoss IRA (Raymond James & Associates, Inc.), Martin DuRoss Roth IRA, Yvonne DuRoss IRA (McDonald Investments Inc.), Yvonne DuRoss IRA (Raymond James & Associates, Inc.), Yvonne DuRoss Roth IRA, Martin DuRoss, and Martin & Yvonne DuRoss, JTWROS, hereinafter collectively referred to as "Claimants": Stephen Murakami, Esq., Robert H. Weiss and Associates, P.C., Jericho, NY.

For Respondent McDonald Investments Inc. ("McDonald"): Peter R. Sonderby, Esq., Ulmer & Berne LLP, Chicago, IL.

For Respondent James Richard Haught, II ("Haught"): Cory S. Zadanosky, Esq., Zadanosky & Associates, P.A., Lake Worth, FL.

For Respondent Raymond James & Associates, Inc. ("RJA"): Michael J. Bradford, Esq., Tate, Lazarini & Beall, PLC, Tampa, FL.

CASE INFORMATION

Statement of Claim filed on or about: January 24, 2003.

Amended Statement of Claim filed on or about: December 1, 2003.

Second Amended Statement of Claim filed on or about: December 15, 2003.

Claimants signed the Uniform Submission Agreement: January 20, 2003.

Statement of Answer filed by Respondents McDonald and Haught on or about: May 8,

2003.

Statement of Answer to the Amended Statement of Claim filed by Respondents McDonald and Haught on or about: March 22, 2004.

Statement of Answer and Motion to Dismiss filed by Respondents RJA and Haught on or about: March 22, 2004.

Respondent McDonald signed the Uniform Submission Agreement: March 20, 2003.

Respondent Haught signed the Uniform Submission Agreement: July 2, 2003.

Respondent RJA signed the Uniform Submission Agreement: January 21, 2004.

Claimants' Motion to Amend the Statement of Claim ("Motion to Amend") filed on or about: December 15, 2003.

Respondents McDonald and Haught's response to Claimants' Motion to Amend filed on or about: January 8, 2004.

Claimants' Opposition to Respondents RJA and Haught's Motion to Dismiss filed on or about: April 7, 2004.

Respondents RJA and Haught's Reply to Claimants' Response to Respondents' Answer and Motion to Dismiss filed on or about: April 30, 2004.

CASE SUMMARY

Claimants asserted the following causes of action: violations of the Virginia Securities Act; common law fraud; breach of fiduciary duty; common law negligence; failure to supervise; and, respondeat superior. The causes of action relate to the purchase of numerous securities in Claimants' accounts including, but not limited to: Healthsouth, Travel Services International, Royal Caribbean Cruises Limited, Blackrock Small Cap Growth Fund, MFS Research Fund, Agilent Technologies, Knight/Trimark Group, Quantum Corporation, Nuveen Communications Trust, and Grand Prix Fund.

Unless specifically admitted in their Answers, Respondents McDonald, Haught, and RJA denied any liability for any alleged monetary damages.

RELIEF REQUESTED

Claimants requested compensatory damages of \$350,000.00, pre- and post-award interest, punitive damages, attorneys' fees, costs, and such other and further relief as the undersigned arbitrators (the "Panel") deemed just and proper.

Respondents McDonald and Haught requested that all claims against them be dismissed and that this matter be expunged from Respondent Haught's NASD Central Registration Depository ("CRD") records.

Respondents RJA and Haught requested dismissal of all claims relating to or purporting to arise from Claimants' account at Respondent RJA and that costs and fees be awarded to Respondents.

OTHER ISSUES CONSIDERED AND DECIDED

On or about January 30, 2004, the Panel entered an order which granted Claimants' Motion to Amend.

On or about May 21, 2004, the Panel entered an order which granted Respondents RJA and Haught's Motion to Dismiss as to Respondent RJA only.

On or about September 11, 2006, Claimants notified NASD Dispute Resolution that they had dismissed their claims against Respondent Haught.

On or about October 10, 2006, the parties filed a Stipulation to Dismiss and Expunge ("Stipulation") Respondent Haught's CRD Records. In the Stipulation, the parties advised NASD that all of Claimants' claims against Respondents McDonald and Haught were dismissed, with prejudice, and requested the entry of a proposed Stipulated Award ("Stipulated Award") which recommended expungement of this matter from the NASD CRD records of Respondent Haught.

On or about October 17, 2006, the Panel entered an order which granted the parties' request for entry of the proposed Stipulated Award.

This matter involved disputed claims and was dismissed, with prejudice, by the Claimants prior to the submission of any evidence by any party, and prior to the final arbitration hearing. No evidence was ever submitted to the Panel by any party of any wrongdoing by any of the Respondents.

The parties have agreed that the Stipulated Award in this matter may be executed in counterpart copies or that a handwritten, signed Stipulated Award may be entered.

AWARD

After considering the pleadings, the Stipulation, and the proposed Stipulated Award, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

Claimants' withdrawal of their claims against Respondents, with prejudice, is accepted and Respondents are dismissed from this matter.

The Panel recommends the expungement of all references to the above-captioned arbitration from Respondent Haught's registration records maintained by the NASD CRD, with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, Respondent Haught must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.

FEES

Pursuant to the NASD Code of Arbitration Procedure (the "Code"), the following fees are assessed:

Filing Fees

NASD Dispute Resolution will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee

= \$ 300.00

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. Accordingly, Respondents McDonald and RJA are member firms and parties.

Member surcharge	= \$1,700.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$2,750.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

August 10-13, 2004, adjournment by all parties. The Panel assessed the adjournment fee 50% to Claimants, jointly and severally, and 25% to Respondent McDonald and 25% to Respondent Haught.

June 8-10, 2005, adjournment by Claimants. The Panel waived assessment of the adjournment fee.

Three-Day Cancellation Fees

Fees apply when a hearing on the merits is postponed or settled within three business days before the start of a scheduled hearing session:

No three-day cancellation fees were assessed during these proceedings.

Injunctive Relief Fees

Injunctive relief fees are assessed to each member or associated person who files for a temporary injunction in court. Parties in these cases are also assessed arbitrator travel expenses and costs when an arbitrator is required to travel outside his or her hearing location and additional arbitrator honoraria for the hearing for permanent injunction. These fees, except the injunctive relief surcharge, are assessed equally against each party unless otherwise directed by the panel.

No injunctive relief fees were assessed during these proceedings.

Forum Fees and Assessments

The Panel has assessed forum fees for each session conducted or each decision rendered on a discovery-related motion on the papers. A session is any meeting between the parties and the arbitrator(s), including a pre-hearing conference with the arbitrator(s), that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with the Panel @ \$1,125.00/session	= \$1,125.00
Pre-hearing conference: January 30, 2004 1 session	

Total Forum Fees	= \$1,125.00
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The Panel has assessed \$562.50 of the forum fees to Claimants, jointly and severally.

The Panel has assessed \$562.50 of the forum fees to Respondents McDonald and Haught, jointly and severally.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

No administrative costs were incurred during these proceedings.

Fee Summary

Claimants are jointly and severally liable for:

Initial Filing Fee	= \$ 300.00
Adjournment Fee	= \$ 562.50
Forum Fees	= \$ 562.50
Total Fees	= \$1,425.00
Less payments	= \$1,425.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondent McDonald is solely liable for:

Adjournment Fee	= \$ 281.25
Member Fees	= \$5,200.00
Total Fees	= \$5,481.25
Less payments	= \$5,200.00
Balance Due NASD Dispute Resolution	= \$ 281.25

Respondent RJA is solely liable for:

Member Fees	= \$5,200.00
Total Fees	= \$5,200.00
Less payments	= \$5,200.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondent Haught is solely liable for:

Adjournment Fee	= \$ 281.25
Total Fees	= \$ 281.25
Less payments	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$ 281.25

Respondents McDonald and Haught are jointly and severally liable for:

Forum Fees	= \$ 562.50
Total Fees	= \$ 562.50
Less payments	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$ 562.50

All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

Robert S. Plotkin	-	Public Arbitrator, Presiding Chairperson
Stephen A. Weisbrod, Esq.	-	Public Arbitrator
Kermit C. Zieg, Jr., Ph.D	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

/s/
Robert S. Plotkin
Public Arbitrator, Presiding Chairperson

Signature Date

/s/
Stephen A. Weisbrod, Esq.
Public Arbitrator

Signature Date

/s/
Kermit C. Zieg, Jr., Ph.D
Non-Public Arbitrator

Signature Date

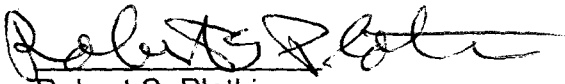
October 25, 2006
Date of Service (For NASD Dispute Resolution use only)

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Stephen A. Weisbrod, Esq.	-	Public Arbitrator
Kermit C. Zieg, Jr., Ph.D	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures



Robert S. Plotkin
Public Arbitrator, Presiding Chairperson

RECEIVED
OCT 23 2006
FL ARBITRATION
10/21/06
Signature Date

Stephen A. Weisbrod, Esq.
Public Arbitrator

Signature Date

Kermit C. Zieg, Jr., Ph.D
Non-Public Arbitrator

Signature Date

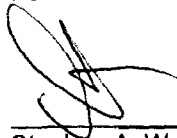
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Stephen A. Weisbrod, Esq.
Public Arbitrator

Signature Date

10/20/2006

Signature Date

Kermit C. Zieg, Jr., Ph.D
Non-Public Arbitrator

Signature Date

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10-20-2006
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