
Stipulated Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Names of the Claimants

Douglas Biggins and Jo-Ann Biggins, Joint Account
Jo-Ann Biggins

Case Number: 03-00901

Names of the Respondents

A.G. Edwards & Sons, Inc.
Ronald Keebler

Hearing Site: Boca Raton, Florida

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

REPRESENTATION OF PARTIES

For Douglas Biggins and Jo-Ann Biggins, Joint Account and Jo-Ann Biggins, hereinafter collectively referred to as "Claimants": Alan J. Foxman, Esq., The Law Office of Alan J. Foxman, Boca Raton, Florida.

For Respondents A.G. Edwards & Sons, Inc. ("Edwards") and Ronald Keebler ("Keebler"), hereinafter collectively referred to as "Respondents": Nuviah Shirazi, A.G. Edwards & Sons, Inc., Saint Louis, Missouri.

CASE INFORMATION

Statement of Claim filed on or about: February 3, 2003.

Claimants signed Uniform Submission Agreement: December 12, 2002.

Statement of Answer filed by Respondents on or about: April 22, 2003.

Respondent Keebler signed the Uniform Submission Agreement: March 6, 2003.

Respondent Edwards signed the Uniform Submission Agreement: April 8, 2003.

CASE SUMMARY

Claimants asserted the following causes of action: 1) breach of contract; 2) fraud and misrepresentation; 3) negligence; and 4) failure to supervise. The causes of action relate to the purchase and sale of various stocks in Claimants' accounts, including, but not limited to: Amazon.com, America Online, Exodus Communications, Network Appliance, Quest Communications, Cisco, C-Net, 24/7 Media, Compaq, Micron and Nextel.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimants requested compensatory damages in the amount of \$56,576.00, interest, costs and attorneys' fees.

Respondents requested that all claims be dismissed with prejudice and that they be awarded all costs, reasonable attorneys' fees and such other relief deemed just and proper.

OTHER ISSUES CONSIDERED AND DECIDED

On or about June 3, 2004, Claimants and Respondent Edwards informed NASD Dispute Resolution that they had entered into a settlement agreement and that Claimants have withdrawn all claims filed against Respondent Edwards, with prejudice.

On or about June 10, 2004, Claimants withdrew all complaints and dismissed all claims filed by them against Respondent Keebler, with prejudice.

On or about June 29, 2004, Respondents submitted a proposed Stipulated Award along with a request that the Panel enter the Stipulated Award expunging all references to this matter from Respondent Keebler's registration records maintained by the NASD Central Registration Depository ("CRD").

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

AWARD

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

1. All claims against Respondents are hereby dismissed with prejudice.
2. The Panel recommends the expungement of all references to the above captioned arbitration from Respondent Keebler's registration records maintained by the CRD, with the understanding that pursuant to NASD Notices To Members 99-09 and 99-54, Respondent Keebler 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 = \$ 225.00

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the events giving rise to the dispute. In this matter, Respondent Edwards is a member firm and a party:

Member surcharge = \$1,100.00

Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$1,700.00
Total Member Fee	= \$3,550.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

No requests for adjournments were filed in this matter for which fees were assessed.

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 incurred during this proceeding.

Forum Fees and Assessments

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

One (1) Pre-hearing session with a single arbitrator @ \$450.00	= \$ 450.00
Pre-hearing conference: April 19, 2004	1 session
One (1) Pre-hearing session with the Panel @ \$750.00	= \$ 750.00
Pre-hearing conference: August 18, 2003	1 session
Total Forum Fees	= \$1,200.00

The Panel has assessed \$600.00 of the forum fees to Claimants, jointly and severally, and \$600.00 of the forum fees to Respondents, 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 this proceeding.

Fee Summary

Claimants are liable for, jointly and severally:

Initial Filing Fee	= \$ 225.00
<u>Forum Fees</u>	= \$ 600.00
Total Fees	= \$ 825.00
<u>Less payments</u>	= \$ 825.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondent Edwards is solely liable for:

<u>Member Fees</u>	= \$3,550.00
Total Fees	= \$3,500.00
<u>Less payments</u>	= \$3,500.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondents Edwards and Keebler are liable for, jointly and severally:

<u>Forum Fees</u>	= \$ 600.00
Total Fees	= \$ 600.00
<u>Less payments</u>	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$ 600.00

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

ARBITRATION PANEL

Will Murphy, Esq.	-	Public Arbitrator, Presiding Chairperson
Edward Aptaker, Esq.	-	Public Arbitrator
Ted Romanos	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

/s/
Will Murphy, Esq.
Public Arbitrator, Presiding Chairperson

August 2, 2004
Signature Date

/s/
Edward Aptaker, Esq.
Public Arbitrator

July 24, 2004
Signature Date

/s/
Ted Romanos
Non-Public Arbitrator

July 22, 2004
Signature Date

August 4, 2004
Date of Service (For NASD Dispute Resolution office use only)

Fee Summary

Claimants are liable for, jointly and severally:

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Total Fees	= \$3,500.00
Less payments	= \$3,500.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondents Edwards and Keebler are liable for, jointly and severally:

Forum Fees	= \$ 600.00
Total Fees	= \$ 600.00
Less payments	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$ 600.00


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

ARBITRATION PANEL

Will Murphy, Esq.
Edward Aptaker, Esq.
Ted Romanos

Public Arbitrator, Presiding Chairperson
Public Arbitrator
Non-Public Arbitrator

Concurring Arbitrators' Signatures


Will Murphy, Esq.
Public Arbitrator, Presiding Chairperson


Signature Date

Edward Aptaker, Esq.
Public Arbitrator

Signature Date

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ARBITRATION

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Balance Due NASD Dispute Resolution	= \$ 0.00

Respondents Edwards and Keebler are liable for, jointly and severally:

Forum Fees	= \$ 600.00
Total Fees	= \$ 600.00
Less payments	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$ 600.00

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

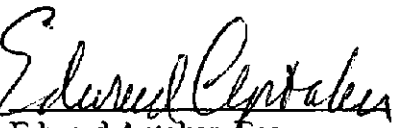
ARBITRATION PANEL

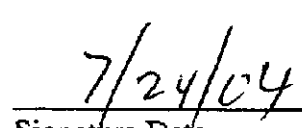
Will Murphy, Esq.	-	Public Arbitrator, Presiding Chairperson
Edward Aptaker, Esq.	-	Public Arbitrator
Ted Romanos	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

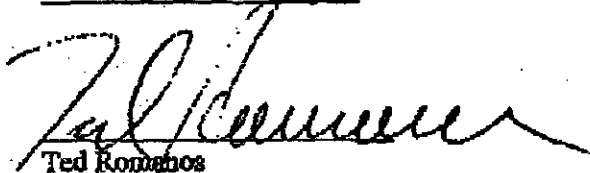
Will Murphy, Esq.
Public Arbitrator, Presiding Chairperson

Signature Date


Edward Aptaker, Esq.
Public Arbitrator


Signature Date

NASD Dispute Resolution
Arbitration No. 03-00901
Signified Award Page 5



Ted Roushos
Non-Public Arbitrator

7/22/04
Signature Date

Date of Service (For NASD Dispute Resolution office use only)