
Stipulated Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Name of the Claimant
Jennifer M. Winston

Case Number: 03-01196

Name of the Respondent
AmSouth Investment Services, Inc.

Hearing Site: Orlando, Florida

Nature of the Dispute: Associated Person vs. Member.

REPRESENTATION OF PARTIES

For Jennifer M. Winston, referred to as "Claimant": Philip J. Snyderburn, Esq., Snyderburn, Rishoi & Swann, P.A., Orlando, Florida.

For AmSouth Investment Service Inc., referred to as "Respondent": Stephanie L. Adler, Esq., Jackson Lewis LLP, Orlando, Florida.

CASE INFORMATION

Statement of Claim filed on or about: January 31, 2003.

Claimant signed the Uniform Submission Agreement: January 31, 2003.

Statement of Answer and Counterclaim filed by Respondent on or about: April 28, 2003.

Respondent signed the Uniform Submission Agreement: April 28, 2003.

CASE SUMMARY

Claimant alleges, inter alia, employment discrimination based upon sex and pregnancy; retaliation for filing sex and discrimination claims; and negligent/intentional infliction of emotional distress.

Respondent denied the allegations made in the Statement of Claim and asserted various defenses including a Counterclaim for breach of contract and unjust enrichment.

Claimant denied the allegations set forth in the Counterclaim and asserted various defenses.

RELIEF REQUESTED

Claimant requested actual and compensatory damages for back pay; front pay in lieu of reinstatement; mental

anguish; loss of dignity; any tax liability as a result of an award to Claimant; removal of the termination designation from Claimant's Form U-4 and U-5 forms; punitive damages; costs; and attorneys' fees. Claimant also requested an award of attorneys' fees and costs in connection with the defense of the Counterclaim.

Respondent requested dismissal of the Statement of Claim; costs; attorneys' fees; and the sum of \$41,574.93 plus interest relating to Claimant's alleged breach of an employment agreement.

OTHER ISSUES CONSIDERED AND DECIDED

On or about January 5, 2004, Claimant notified NASD Dispute Resolution that the above-referenced proceeding had been settled between all parties.

The parties have agreed that the Stipulated Award may be executed in counterpart copies and that conformed copies of the Stipulated Award may be transmitted to the parties via facsimile or other means while the original(s) remain on file with NASD Dispute Resolution.

No other issues were considered or decided by the undersigned arbitrators (the "Panel") concerning entry of this Stipulated Award.

AWARD

After considering the pleadings and the parties' request for the entry of a Stipulated Award, the Panel decided in full and final resolution of the issues submitted for determination as follows:

1. The parties have entered into a settlement agreement. All claims the parties have against each other are dismissed with prejudice.
2. The Panel recommends expungement of all references to the above-captioned arbitration proceeding from Claimant Winston's registration records maintained by the NASD CRD, with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, Claimant Winston must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.
3. The parties have agreed that Claimant voluntarily resigned from the respondent firm. Therefore, CRD is ordered to expunge the original reason for termination and accompanying reason for termination explanation as reported on the Form U5 submitted by Respondent AmSouth (i.e., "discharge" and "lack of production," respectively). The Form U5 reason for termination should reflect/indicate "voluntary." Therefore, CRD should replace the original reason for termination with "voluntary." The reason for termination explanation should be deleted in its entirety.
4. The parties shall bear their respective costs and attorneys' fees.
5. Any and all claims or relief not specifically addressed herein are denied.

FEES

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

Filing Fees

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

Initial claim filing fee	= \$ 250.00
Counterclaim filing fee	=\$1,000.00

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. Accordingly, Respondent is a member firm and a party.

Member surcharge	= \$1,500.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$2,200.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

There were no adjournments requested during these proceedings 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.

There were no injunctive relief fees assessed during these proceedings.

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 Panel @ \$1,000.00 per session	= \$1,000.00
Pre-hearing conference: September 17, 2003 1 session	

Total Forum Fees	= \$1,000.00
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The Panel has assessed forum fees in the amount of \$500.00 to Claimant and \$500.00 to Respondent.

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.

There were no administrative costs incurred during these proceedings.

Fee Summary

Claimant is solely liable for:

Initial Filing Fee	= \$ 250.00
<u>Forum Fees</u>	= \$ 500.00
Total Fees	= \$ 750.00
<u>Less payments</u>	= \$ 750.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondent is solely liable for:

Counterclaim filing fee	= \$1,000.00
Member Fees	= \$4,450.00
<u>Forum Fees</u>	= \$ 500.00
Total Fees	= \$5,950.00
<u>Less payments</u>	= \$5,950.00
Balance Due NASD Dispute Resolution	= \$ 0.00

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

Parties' Signatures

/s/
Philip J. Snyderburn, Esq.
Counsel for Claimant

March 11, 2004
Signature Date

/s/
Stephanie L. Adler, Esq.
Counsel for Respondent

March 11, 2004
Signature Date

ARBITRATION PANEL

Karen Mary Ellen Morinelli, Esq.
Cindy L. Anderson
Edith N. Dinneen, Esq.

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Public Arbitrator, Presiding Chairperson
Public Arbitrator
Public Arbitrator

Concurring Arbitrators' Signatures

/s/
Karen Mary Ellen Morinelli, Esq.
Public Arbitrator, Presiding Chairperson

March 22, 2004
Signature Date

/s/
Cindy L. Anderson
Public Arbitrator

March 15, 2004
Signature Date

/s/
Edith N. Dinneen, Esq.
Public Arbitrator

March 21, 2004
Signature Date

March 22, 2004
Date of Service (For NASD Dispute Resolution use only)

NASD Dispute Resolution
Arbitration No. 03-01196
Stipulated Award Page 4

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 Philip J. Snyderburn, Esq.
 Counsel for Claimant

3/11/04
 Signature Date

Stephanie L. Adler, Esq.
 Counsel for Respondent

 Signature Date

ARBITRATION PANEL

Karen Mary Ellen Morinelli, Esq.
 Cindy L. Anderson
 Edith N. Dinneen, Esq.

- Public Arbitrator, Presiding Chairperson
 - Public Arbitrator
 - Public Arbitrator

NASD Dispute Resolution
 Arbitration No. 03-01196
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 Counsel for Claimant

Signature Date

Stephane L. Adler, Esq.
 Counsel for Respondent

3/11/04
 Signature Date

ARBITRATION PANEL

Karen Mary Ellen Morinelli, Esq.
 Cindy L. Anderson
 Edith N. Dinneen, Esq.

- Public Arbitrator, Presiding Chairperson
 - Public Arbitrator
 - Public Arbitrator

NASD Dispute Resolution

Arbitration No. 03-01196

Stipulated Award Page 5

Concurring Arbitrators' Signatures



Karen Mary Ellen Morinelli, Esq.

Public Arbitrator, Presiding Chairperson

3/22/2004
Signature Date

Cindy L. Anderson

Public Arbitrator

Signature Date

Edith N. Dinneen, Esq.

Public Arbitrator

Signature Date

Date of Service (For NASD Dispute Resolution use only)

NASD Dispute Resolution
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Stipulated Award Page 5

Concurring Arbitrators' Signatures

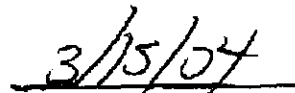
Karen Mary Ellen Morinelli, Esq.
Public Arbitrator, Presiding Chairperson



Cindy L. Anderson
Public Arbitrator

Edith N. Dinneen, Esq.
Public Arbitrator

Signature Date



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Karen Mary Ellen Morinelli, Esq.
Public Arbitrator, Presiding Chairperson

Signature Date

Cindy L. Anderson
Public Arbitrator

Signature Date

Edith N. Dinneen
Edith N. Dinneen, Esq.
Public Arbitrator

3/31/04
Signature Date

Date of Service (For NASD Dispute Resolution use only)