

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 03-01540

Eileen Ellicott, Claimant v. Merrill Lynch Pierce Fenner & Smith, Inc., Respondent.

ATTORNEYS:

Claimant, Eileen Ellicott, ("Claimant"), appeared pro se, Medford Lakes, NJ.

Respondent, Merrill Lynch Pierce Fenner & Smith, Inc., ("Respondent") appeared through its in-house counsel, Christopher D. Cavuoti, Esq., New York, NY.

NATURE OF DISPUTE: Customer v. Member

DATE FILED: March 4, 2003

CASE SUMMARY: Claimant alleged that Respondent was negligent and placed her account in a Seligman High Yield Bond Fund which was unsuitable to her investment objectives. Claimant maintained that due to Respondent's actions she suffered financial losses.

Claim Data

Claim: \$22,352.52
Filing Fee: Unspecified
Other: Unspecified

Award Data

Award: \$4,900.00
Filing Fee: \$425.00
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is liable and shall pay to the Claimant \$4,900.00. 2) All other relief requests are denied. 3) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant previously deposited. 4) Respondent is liable and shall pay Claimant \$425.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

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Award 03-01540

Paul J. Leis

Sole Public Arbitrator

AFFIRMATION

I, Paul J. Leis, 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.


Paul J. Leis

10/19/03
Signature Date

November 3, 2003

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