

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 03-01813

Linda Flanagan, Claimant vs. Joseph Gunnar & Co. LLC, Respondent.

ATTORNEYS:

For Claimant appeared Michael S. Press, Esq. of the firm Warner & Scheuerman, New York, NY.

For Respondents appeared John E. Lawlor, Esq., Mineola, NY.

DATE FILED: March 13, 2003.

CASE SUMMARY: Claimant alleged that Respondent handled her RMA account negligently, purchased unsuitable securities on margin, and breached its fiduciary duty to her. Claimant maintained that due to Respondent's actions, she suffered financial losses. Claimant's claim involved Intermedia Communications, Inc. stock, Echostar Communications Corp. stock and Nextel Communications Inc. Stock.

Claim Data

Claim: \$9,378.00
Interest: \$1,688
Filing Fees: \$325.00

Award Data

Award: \$9,378.00
Interest: \$.00
Filing Fees: \$325.00

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 \$9,378.00. 2) All requests for interest are denied. 3) All other relief requests are denied. 4) The \$325.00 filing fee previously deposited with NASD Dispute Resolution by the Claimant, shall be retained by NASD Dispute Resolution. 5) Respondent is liable and shall pay Claimant \$325.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, respondent has paid to NASD Dispute Resolution the \$325.00 Member Surcharge previously invoiced.

Page Two
Award 03-01813

Kenneth B. Cutler, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Kenneth B. Cutler, Esq., do hereby affirm, pursuant to Article 7507 of the Civil Practice Law and Rules, that I am the individual described herein, and who executed this instrument which is my award.

Kenneth B. Cutler
Kenneth B. Cutler, Esq.

June 1, 2003
Signature Date

June 12, 2003
Date of Service (For NASD-DR office use only)