

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION**

CASE: 03-01835

William D. Alexander Succ. TTEE FBO Marian I. Schmidt Trust U/A/D 11/17/89, Claimant vs. UBS PaineWebber, Inc., and Jan Louis Long, Respondents.

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**ATTORNEYS:**

For Claimant, William D. Alexander Succ. TTEE FBO Marian I. Schmidt Trust U/A/D 11/17/89, ("Claimant"), appeared Jane L. Stafford of the firm Spencer Fane Britt & Browne, LLP, Missouri City, MO.

Respondents, UBS PaineWebber, Inc., and Jan Louis Long, (collectively "Respondents"), appeared through their in-house counsel, Heather A. Wright, Esq., New York, NY.

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**DATE FILED:** March 14, 2003

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**CASE SUMMARY:** Claimant alleged that Respondents breached their fiduciary duties, violated Federal Securities Laws and failed to supervise her account. Claimant further alleged that Respondents violated the anti-fraud provisions of the Securities and Exchange Act of 1934, engaged in acts of negligence, and placed her account in investments that were unsuitable to her investment goals and objectives.

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**Claim Data**

Claim: \$25,000.00  
Interest: \$9,516.00  
Punitive: Unspecified  
Attorney Fees: \$22,067.00  
Filing Fees: \$425.00  
Other: Unspecified

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**Award Data**

Award: \$.00  
Interest: \$.00  
Punitive: \$.00  
Attorney Fees: \$.00  
Filing Fees: \$212.50  
Other: \$.00

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**AWARD:** The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The claims of Claimant are dismissed in their entirety. 2) All requests for interest are denied. 3) All requests for attorney fees are denied. 4) All requests for punitive damages are denied. 5) All other relief requests are denied. 6) The \$425.00 filing fee previously deposited with NASD Dispute Resolution by the Claimant, shall be retained by NASD Dispute Resolution. 7) Respondents are liable and shall pay Claimant \$212.50 as reimbursement of one half of the filing fee.

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

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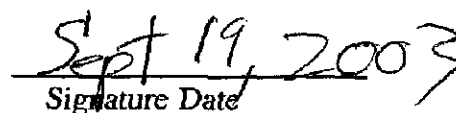
Michael D. Fitzgerald, Esq.

Sole Public Arbitrator

**AFFIRMATION**

I, Michael D. Fitzgerald, Esq., 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.

  
Michael D. Fitzgerald, Esq.

  
Signature Date

October 1, 2003  
Date of Service (For NASD-DR office use only)