

**Stipulated Award
NASD Dispute Resolution**

In the Matter of the Arbitration Between:

Names of the Claimants

Patricia Mack
Paul Mack

Case Number: 03-02572

Name of the Respondent

OLDE Discount Brokerage Firm
n/k/a H&R Block Financial Advisors, Inc.

Hearing Site: Charlotte, NC

Nature of the Dispute: Customers v. Member.

REPRESENTATION OF PARTIES

Claimants, Patricia Mack and Paul Mack, hereinafter collectively referred to as "Claimants", were represented by Scott L. Silver and Darren C. Blum, Esq., Blum, Silver & Schwartz, LLP, Coral Springs, Florida.

Respondent, OLDE Discount Brokerage Firm, n/k/a H&R Block Financial Advisors, Inc., hereinafter referred to as "Respondent", was represented by A. Inge Selden, III, Esq., Maynard, Cooper & Gale, P.C., Birmingham, Alabama and David T. Doyle, Esq., H&R Block Financial Advisors, Inc., Detroit, Michigan.

CASE INFORMATION

Statement of Claim filed on April 9, 2003.

Claimants signed the Uniform Submission Agreement on January 3, 2003.

Statement of Answer filed by Respondent on July 25, 2003.

A representative of Respondent signed the Uniform Submission Agreement on May 5, 2003.

CASE SUMMARY

Claimants asserted the following causes of action, among others: violation of industry Rules, SC Statutes, breach of contract, breach of fiduciary duty, common law fraud, negligence, over-concentration of certain stocks and trusts, and failure to supervise. The causes of action relate to the purchase and sale of various unspecified securities.

Unless specifically admitted in its Answer, Respondent denied the allegations made in the Statement of Claim and asserted the following defenses, among others: Claimants sought undeserved compensation for market losses incurred during the recent, sustained bear market and their claim is factually and legally without merit; failure to state a claim upon which relief may be granted; assumption of the risk; failure to mitigate damages; failure to exercise due care; Claimants' claims are barred by the doctrines of waiver, estoppel and ratification; and, Claimants' claims are barred by the statute of limitations.

RELIEF REQUESTED

Claimants requested:

Compensatory Damages	\$ 3,000,000.00
Punitive Damages	amount unspecified
Interest	amount unspecified
Attorneys' Fees	amount unspecified
Other Costs	amount unspecified

Respondent requested that all claims be dismissed and that they be awarded costs and expenses.

OTHER ISSUES CONSIDERED AND DECIDED

Respondent's registered representative, Christopher Warren, was not named in the Statement of Claim, but was erroneously included as a Respondent on the NASD-DR's initial paperwork. The NASD-DR eventually acknowledged its error, however, due to NASD Rules, Christopher Warren was required to amend his Central Registration Depository ("CRD") to include the NASD-DR's erroneous listing. The parties have requested that this error be corrected with this Stipulated Award.

Prior to the hearing, the parties fully and finally settled all claims by and between them. Therefore, the parties submit this Stipulated Award to the Panel for its consideration and request that it be entered.

The parties have agreed that the Stipulated Award in this matter may be executed in counterpart copies.

AWARD

Pursuant to the above, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. That the parties have amicably resolved their differences and have requested this Stipulated Award;
2. That Claimants' withdrawal of their claims has been accepted by Respondent OLDE and Respondent OLDE is dismissed from this matter with prejudice;
3. That the Panel recommends the expungement of all reference to the above-captioned arbitration from Christopher Warren's registration records maintained by the CRD with the understanding that, pursuant to NASD Notices to Members 99-09 and 99-54, Christopher Warren must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive;
4. That each party shall bear its own costs and expenses, including attorneys' fees, except as Fees are specifically addressed below; and

5. That any and all relief not specifically addressed herein, including punitive damages and treble damages, is denied in its entirety.

FEES

Pursuant to 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 = \$ 500.00

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 party.

Member surcharge = \$ 2,800.00
Pre-hearing process fee = \$ 750.00
Hearing process fee = \$ 5,000.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

July 27-30, 2004, adjournment by Claimants and Respondent = \$ 1,200.00

Forum Fees and Assessments

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

One (1) Pre-hearing session with Panel @ \$ 1,200.00 = \$ 1,200.00
Pre-hearing conference: December 4, 2003 1 session
Total Forum Fees = \$ 1,200.00

1. The Panel has assessed \$ 600.00 of the forum fees jointly and severally to Claimants.
2. The Panel has assessed \$ 600.00 of the forum fees to Respondent.

Fee Summary

1. Claimants are jointly and severally assessed and shall pay:
Initial Filing Fee = \$ 500.00
Adjournment Fee = \$ 600.00
Forum Fees = \$ 600.00

Total Fees	= \$ 1,700.00
<u>Less payments</u>	<u>= \$ 1,700.00</u>
Refund Owed Claimants	= \$ 0.00

2. Respondent is assessed and shall pay:

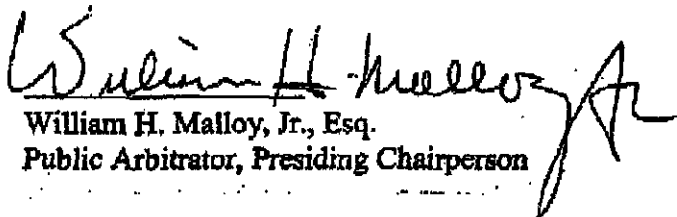
Member Fees	= \$ 8,550.00
Adjournment Fee	= \$ 600.00
<u>Forum Fees</u>	<u>= \$ 600.00</u>
Total Fees	= \$ 9,750.00
<u>Less payments</u>	<u>= \$ 8,550.00</u>
Balance Due NASD Dispute Resolution	= \$ 1,200.00

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

ARBITRATION PANEL

William H. Malloy, Jr., Esq.	-	Public Arbitrator, Presiding Chairperson
Charles Sydnor Thompson, JD	-	Public Arbitrator, Panelist
W. Wells Van Pelt, Jr.	-	Non-Public Arbitrator, Panelist

Concurring Arbitrators' Signatures


William H. Malloy, Jr., Esq.
Public Arbitrator, Presiding Chairperson

March 10, 2005
Signature Date

Charles Sydnor Thompson, JD
Public Arbitrator, Panelist

Signature Date

W. Wells Van Pelt, Jr.
Non-Public Arbitrator, Panelist


Signature Date

March 10, 2005
Date of Service (For NASD Dispute Resolution office use only)

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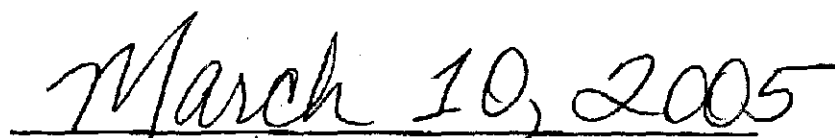
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