

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 03-03750

Pamela E. Stanley IRA, Claimant v. Merrill Lynch Pierce Fenner & Smith Inc. and Gregory B. Gilbert, Respondents.

ATTORNEYS:

Claimant, Pamela E. Stanley IRA, ("Claimant"), appeared pro se, Livermore, CA.

Respondents, Merrill Lynch Pierce Fenner & Smith Inc. and Gregory B. Gilbert, ("Respondents"), appeared through their in-house counsel, Yosef Sinensky, Esq., New York, NY.

NATURE OF DISPUTE: Customer v. Member and Associated Person

DATE FILED: May 22, 2003

CASE SUMMARY: Claimant alleged that Respondents were negligent, and recommended and purchased seven hundred (700) shares of unsuitable Enron stock for her accounts. Claimant maintained that due to Respondents' actions, her accounts suffered financial losses.

Claim Data

Claim: \$25,000.00
Filing Fees: \$425.00
Other: Unspecified

Award Data

Award: \$.00
Filing Fees: \$212.50
Other: \$.00

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 the Claimant are dismissed in their entirety. 2) All other relief requests are denied. 3) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant deposited previously. 4) Respondents are jointly and severally liable and shall pay to the Claimant \$212.50 as reimbursement of one-half of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent Merrill Lynch Pierce Fenner & Smith Inc. has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

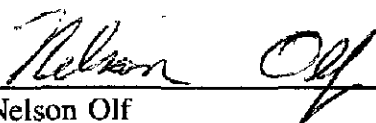
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Award 03-03750

Nelson Olf

Sole Public Arbitrator

AFFIRMATION

I, Nelson Olf, 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.


Nelson Olf

12 Feb 2004
Signature Date

March 5, 2004
Date of Service (For NASD-DR office use only)