

NASD DISPUTE RESOLUTION AWARD

NASD DISPUTE RESOLUTION

CASE: 03-05981

James A. Booker, Sr., Thelma M. Booker, and James A. Booker, Jr. JNT, Claimant v. Wells Fargo Investments, LLC and Richard D. Byrd, Respondents.

ATTORNEYS:

Claimant, James A. Booker, Sr., Thelma M. Booker, and James A. Booker, Jr. JNT, ("Claimant"), appeared pro se, Slidell, LA.

For Respondents, Wells Fargo Investments, LLC, and Richard D. Byrd, ("Respondents"), appeared Mark S. Flynn, Esq., of the firm Severson & Wersontments, LLC, Irvine, CA.

NATURE OF DISPUTE: Customer v. Member and Associated Person

DATE FILED: August 19, 2003

CASE SUMMARY: Claimant alleged that Respondents traded their joint account without authorization, breached their contract, were negligent, and breached their fiduciary duty. Claimant additionally alleged that Respondents wrongfully executed a margin buy-in in a regular cash account. Claimant's claim involved two-hundred and ten (210) shares of Dominican Resources stock and Pleasant Valley County bonds. Claimant maintained that due to Respondents' actions, their joint account suffered financial losses.

Claim Data

Claim: \$5,000.00
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$3,200.00
Filing Fees: \$87.50
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent Wells Fargo Investments, LLC is liable for and shall pay to the Claimant \$3,200.00. 2) All other relief requests are denied. 3) NASD Dispute Resolution shall retain the \$175.00 filing fee that the Claimant deposited previously. 4) Respondent Wells Fargo Investments, LLC is liable and shall pay to the Claimant \$87.50 as reimbursement of one-half of the filing fee.

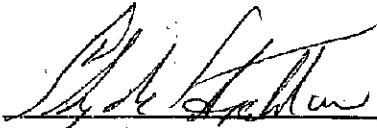
OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent Wells Fargo Investments, LLC has paid to NASD Dispute Resolution the \$200.00 Member Surcharge previously invoiced.

ARBITRATOR

Clyde Fahlman - Sole Public Arbitrator

AFFIRMATION

I, Clyde Fahlman, 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.


Clyde Fahlman

4-30-04
Signature Date

May 6, 2004
Date of Service (For NASD-DR office use only)