

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 03-06032

William F. Cohen IRA, and William F. Cohen Family Trust Claimant v. Merrill Lynch Pierce Fenner & Smith, Inc., Respondent.

ATTORNEYS:

Claimant, William F. Cohen IRA, and William F. Cohen Family Trust ("Claimants"), appeared pro se, New York, NY.

Respondent, Merrill Lynch Pierce Fenner & Smith, Inc., ("Respondent"), appeared through their in-house counsel, Brett D. Sherman, Esq., New York, NY.

NATURE OF DISPUTE: Customer v. Member

DATE FILED: August 19, 2003

CASE SUMMARY: Claimant alleged that Respondent erroneously placed shares of Williams Communications and WorldCom stock in his IRA account instead of his living trust account. Claimant maintained that due to Respondent's action, his living trust account suffered financial losses.

Claim Data

Claim: \$200.00
Attorney Fees: Unspecified
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$.00
Attorney Fees: \$.00
Filing Fees: \$.00
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) Claimant's requests for attorney fees are denied. 3) All other relief requests are denied. 4) NASD Dispute Resolution shall retain the \$50.00 filing fee that the Claimant deposited previously.

OTHER ISSUE: Claimant is liable and shall pay to the Respondent attorneys fee in the amount of \$4,493.75.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent has paid to NASD Dispute Resolution the \$150.00 Member Surcharge previously invoiced.

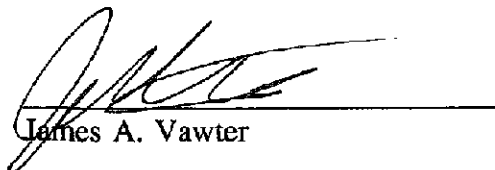
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Award 03-06032

James A. Vawter

Sole Public Arbitrator

AFFIRMATION

I, James A. Vawter, 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.


James A. Vawter

3/12/04
Signature Date

April 27, 2004
Date of Service (For NASD-DR office use only)