

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION
CASE: 03-06370

Edward and Gail Hewitt JNT, Claimants v. Lincoln Financial Advisors Corporation and Gary P. Salva, Respondents.

ATTORNEYS:

Claimants, Edward and Gail Hewitt JNT, ("Claimants"), appeared pro se, Rockfall, CT.

Respondents, collectively known as "Respondents":

For Respondent, Lincoln Financial Advisors Corporation, ("Lincoln"), appeared Heather V. Taylor, of McCarter & English, LLP, Newark, NJ.

For Respondent, Gary P. Salva, ("Salva"), appeared David Butler, Esq., of Winget, Spadafora, & Schwartzberg, LLP, New York, NY.

NATURE OF DISPUTE: Customers v. Member and Associated Person

DATE FILED: September 2, 2003

CASE SUMMARY: Claimants alleged that Respondents breached their fiduciary duty, were negligent, and recommended unsuitable mutual funds for their joint account. Claimants additionally alleged that Respondent Lincoln failed to properly supervise its representative, Respondent Salva. Claimants maintained that due to Respondents' action, their joint account suffered financial losses.

Claim Data

Claim: \$24,982.07
Filing Fees: \$00
Other: Unspecified

Award Data

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

AWARD: The undersigned arbitrator has decided and determined in full and final resolution the issues submitted for determination as follows: 1) The claims of the Claimants are dismissed in their entirety. 2) All other relief requests are denied. 3) NASD Dispute Resolution retain the \$425.00 filing fee that the Claimants deposited previously.

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

Date of

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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 the Claimants 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 Claimants deposited previously.

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

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Award 03-06370

ARBITRATOR

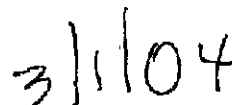
Robert S. Hark, Esq. - Sole Public Arbitrator

AFFIRMATION

I, Robert S. Hark, 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.



Robert S. Hark, Esq.



Signature Date

March 5, 2004

Date of Service (For NASD-DR office use only)