

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-00176

Stephen M. Hammers, Claimant v. Merrill Lynch, Pierce, Fenner & Smith, Inc., Respondent

ATTORNEYS:

Claimant Stephen M. Hammers ("Claimant") appeared *pro se*, Brentwood, TN. Previously represented by: John E. MacDonald, Esq., of the firm Stark & Stark, P.C., Princeton, NJ.

For Respondent Merrill Lynch, Pierce, Fenner & Smith, Inc. ("Respondent") appeared Alexander Nemiroff, Esq., of the firm Rubin Fortunato Harbison & Dougherty, P.C., Paoli, PA.

NATURE OF DISPUTE: Associated Person vs. Member.

DATE FILED: January 7, 2004.

CASE SUMMARY: Claimant alleged that Respondent failed to pay owed commissions. Claimant maintained that due to Respondent's actions, he suffered a financial loss.

Claim Data

Claim: \$4,000.00
Interest: Unspecified
Attorney Fees: Unspecified
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$3,500.00
Interest: \$0.00
Attorney Fees: \$0.00
Filing Fees: \$175.00
Other: \$0.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is liable for and shall pay Claimant \$3,500.00. 2) All requests for interest are denied. 3) All requests for attorney fees are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$175.00 filing fee that the Claimant deposited previously. 6) Respondent is liable and shall pay Claimant \$175.00 as reimbursement of the filing fee.

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

Page Two
Award 04-00176

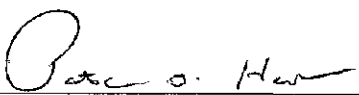
Patricia D. Hester

-

Sole Non-Public Arbitrator

AFFIRMATION

I, Patricia D. Hester, 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.



Patricia D. Hester

3/14/05

Signature Date

March 8, 2005

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