

AWARD
NASD Dispute Resolution

In the Matter of the Arbitration Between

Claimant

Daniel Buhalis

and

Case Number: 04-00987
Hearing Site: Southfield, Michigan

Respondents

UBS Financial Services, Inc. f/k/a
UBS PaineWebber, Inc. and
Gregory R. Wright

NATURE OF DISPUTE

Customer v. Member and Associated Person

REPRESENTATION OF PARTIES

Daniel Buhalis ("Claimant") was represented by Joseph A. Ahearne, Esq., Stark Reagan, P.C., Troy, Michigan.

UBS Financial Services, Inc. f/k/a UBS PaineWebber, Inc. ("UBS") and Gregory R. Wright ("Wright"), hereinafter collectively referred to as "Respondents," were represented by Sandra D. Grannum, Esq., Davidson & Grannum LLP, Orangeburg, New Jersey.

CASE INFORMATION

The Statement of Claim was filed on or about February 10, 2004. The Submission Agreement of Daniel Buhalis was signed on or about February 10, 2004.

The Statement of Answer was filed jointly by Respondents on or about April 26, 2004. The Submission Agreement of UBS Financial Services, Inc. f/k/a UBS PaineWebber, Inc. was signed on or about April 20, 2004, by Tracey Salmon-Smith. The Submission Agreement of Gregory R. Wright was signed on or about April 20, 2004.

CASE SUMMARY

Claimant asserted the following cause of action: suitability. The cause of action related to Respondents' alleged recommendation that, upon Claimant's retirement from Ameritech, Claimant should retain his Ameritech Stock. Claimant asserted that Respondents' recommendations resulted in Claimant's retirement portfolio consisting of one-third of its assets in Ameritech, and the rollover cash from Claimant's pension plan disproportionately invested in stock rather than bond funds. Claimant asserted that this allocation was not suitable given his circumstances and investment objectives.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted affirmative defenses including the following: the Statement of Claim fails to state a claim upon which relief can be granted; Claimant's claims are barred by the applicable statute of limitations; and Claimant knowingly, willingly and voluntarily assumed the risks associated with his investments.

RELIEF REQUESTED

Claimant requested an award in the amount of \$294,000.00, plus interest, appreciation and attorneys' fees.

Respondents requested that the claims asserted against them be dismissed in their entirety. At hearing, Respondent Wright requested expungement of all references to this matter from his CRD record.

OTHER ISSUES CONSIDERED & DECIDED

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered. In either case, the parties have agreed to receive conformed copies of the award while the original(s) remain on file with NASD Dispute Resolution ("NASD").

AWARD

After considering the pleadings, the testimony, and the evidence presented at the hearing, the undersigned arbitrators have decided in full and final resolution of the issues submitted for determination as follows:

- 1.) Claimant's claims, each and all, are denied and dismissed with prejudice;
- 2.) Other than Forum Fees which are specified below, the parties shall each bear their own costs and expenses incurred in this matter; and
- 3.) Any relief not specifically enumerated, including expungement and attorneys' fees, is hereby denied with prejudice.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee = \$ 300.00

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the events giving rise to the dispute. In this matter, the member firm is UBS Financial Services, Inc. f/k/a UBS PaineWebber, Inc.

Member surcharge = \$ 1,700.00
Pre-hearing process fee = \$ 750.00
Hearing process fee = \$ 2,750.00

Forum Fees and Assessments

The Arbitration Panel assesses forum fees for each hearing session conducted. A hearing session is any meeting between the parties and the arbitrator(s), including a pre-hearing conference with the arbitrator(s), that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with Panel x \$1,125.00	= \$ 1,125.00
Pre-hearing conference: Date 1 session	
Five (5) Hearing sessions x \$1,125.00	= \$ 5,625.00
Hearing Dates: March 30, 2005 3 sessions	
March 31, 2005 2 sessions	
<hr/> Total Forum Fees	<hr/> = \$ 6,750.00

The Arbitration Panel has assessed \$3,375.00 of the forum fees to Daniel Buhalis.

The Arbitration Panel has assessed \$3,375.00 of the forum fees jointly and severally to UBS Financial Services, Inc. f/k/a UBS PaineWebber, Inc., and Gregory R. Wright.

Fee Summary

Claimant, Daniel Buhalis, is liable for:

Initial Filing Fee	= \$ 300.00
Forum Fees	= \$ 3,375.00
<hr/> Total Fees	<hr/> = \$ 3,675.00
Less payments	= \$ 1,425.00
<hr/> Balance Due NASD Dispute Resolution	<hr/> = \$ 2,250.00

Respondent, UBS Financial Services, Inc. f/k/a UBS PaineWebber, Inc., is liable for:

Member Fees	= \$ 5,200.00
Total Fees	= \$ 5,200.00
Less payments	= \$ 5,200.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondents, UBS Financial Services, Inc. f/k/a UBS PaineWebber, Inc., and Gregory R. Wright, are jointly and severally liable for:

Forum Fees	= \$ 3,375.00
Total Fees	= \$ 3,375.00
Less payments	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$ 3,375.00

All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

Jeffry M. Bauer, Esq. - Public Arbitrator, Presiding Chair
James L. Karpen - Public Arbitrator
Bernard R. Cohen, Esq. - Non-Public Arbitrator

Concurring Arbitrators:

/s/ Jeffry M. Bauer, Esq.
Jeffry M. Bauer, Esq.
Public Arbitrator, Presiding Chair

04/01/05
Signature Date

/s/ James L. Karpen
James L. Karpen
Public Arbitrator

04/01/05
Signature Date

/s/ Bernard R. Cohen, Esq.
Bernard R. Cohen, Esq.
Non-Public Arbitrator

04/01/05
Signature Date

04/01/05
Date of Service (For NASD office use only)

NASD Dispute Resolution
Arbitration No. 04-00987
Award Page 4 of 4

Respondent, UBS Financial Services, Inc. f/k/a UBS PaineWebber, Inc., is liable for

Member Fees	= \$ 5,200.00
Total Fees	= \$ 5,200.00
Less payments	= \$ 5,200.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondents, UBS Financial Services, Inc. f/k/a UBS PaineWebber, Inc., and Gregory R. Wright, are jointly and severally liable for:

Forum Fees	= \$ 3,375.00
Total Fees	= \$ 3,375.00
Less payments	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$ 3,375.00

All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

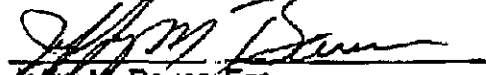
ARBITRATION PANEL

Jeffrey M. Bauer, Esq. - Public Arbitrator, Presiding Chair

James L. Karpen - Public Arbitrator

Bernard R. Cohen, Esq. - Non-Public Arbitrator

Concurring Arbitrators:


Jeffrey M. Bauer, Esq.
Public Arbitrator, Presiding Chair

March 31, 2005
Signature Date

James L. Karpen
Public Arbitrator

Signature Date

Bernard R. Cohen, Esq.
Non-Public Arbitrator

Signature Date

Date of Service (For NASD office use only)

NASD Dispute Resolution
 Arbitration No. 04-00987
 Award Page 4 of 4

Respondent, UBS Financial Services, Inc. f/k/a UBS PaineWebber, Inc., is liable for:

Member Fees	= \$ 5,200.00
Total Fees	= \$ 5,200.00
Less payments	= \$ 5,200.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondents, UBS Financial Services, Inc. f/k/a UBS PaineWebber, Inc., and Gregory R. Wright, are jointly and severally liable for:

Forum Fees	= \$ 3,375.00
Total Fees	= \$ 3,375.00
Less payments	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$ 3,375.00

All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

Jeffrey M. Bauer, Esq. - Public Arbitrator, Presiding Chair
 James L. Karpen - Public Arbitrator
 Bernard R. Cohen, Esq. - Non-Public Arbitrator

Concurring Arbitrators:

Jeffrey M. Bauer, Esq.
 Public Arbitrator, Presiding Chair

Signature Date


 James L. Karpen
 Public Arbitrator

4-1-05
 Signature Date

Bernard R. Cohen, Esq.
 Non-Public Arbitrator

Signature Date

Date of Service (For NASD office use only)

NASD Dispute Resolution
 Arbitration No. 04-00967
 Award Page 4 of 4

Respondent, UBS Financial Services, Inc. f/k/a UBS PaineWebber, Inc., is liable for:

<u>Member Fees</u>	= \$ 5,200.00
<u>Total Fees</u>	= \$ 5,200.00
<u>Less payments</u>	= \$ 5,200.00
<u>Balance Due NASD Dispute Resolution</u>	= \$ 0.00

Respondents, UBS Financial Services, Inc. f/k/a UBS PaineWebber, Inc., and Gregory R. Wright, are jointly and severally liable for:

<u>Forum Fees</u>	= \$ 3,375.00
<u>Total Fees</u>	= \$ 3,375.00
<u>Less payments</u>	= \$ 0.00
<u>Balance Due NASD Dispute Resolution</u>	= \$ 3,375.00

All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

Jeffrey M. Bauer, Esq. - Public Arbitrator, Presiding Chair
 James L. Karpen - Public Arbitrator
 Bernard R. Cohen, Esq. - Non-Public Arbitrator

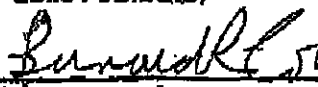
Concurring Arbitrators:

 Jeffrey M. Bauer, Esq.
 Public Arbitrator, Presiding Chair

 Signature Date

 James L. Karpen
 Public Arbitrator

 Signature Date


 Bernard R. Cohen, Esq.
 Non-Public Arbitrator

4-1-05
 Signature Date

 Date of Service (For NASD office use only)