

NASD DISPUTE RESOLUTION AWARD  
NASD DISPUTE RESOLUTION

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CASE: 04-01854

J. Richard and Linda M. Swenson, Claimants v. Roxanne T. Seaton and Floyd Barnett,  
Respondents.

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ATTORNEYS:

Claimants, J. Richard and Linda M. Swenson, ("Claimants"), appeared *pro se*, Sebring, FL.

Respondents, Roxanne T. Seaton and Floyd Barnett, (collectively "Respondents"), appeared  
through Neil S. Baritz, Esq., of the firm Bartiz & Colman, Boca Raton, FL.

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NATURE OF DISPUTE: Customers vs. Associated Persons.

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DATE FILED: March 18, 2004.

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CASE SUMMARY: Claimants alleged that Respondents failed to properly manage the account  
and made purchases that were unsuitable to their investments objectives. Claimants' claim  
involved mutual funds. Claimants maintained that due to Respondents' actions the account  
suffered losses.

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**Claim Data**

Claim: \$24,800.00  
Filing Fees: Unspecified  
Attorney Fees: Unspecified  
Other: Unspecified

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**Award Data**

Award: \$.00  
Filing Fees: \$255.00  
Attorney Fees: \$.00  
Other: \$.00

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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 Claimant 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. 4) Respondent Roxanne T.  
Seaton is liable and shall pay to the Claimants 127.50 as reimbursement of 30% of the filing  
fees. 5) Respondent Floyd Barnett is liable and shall pay to the Claimants \$127.50 as  
reimbursement of 30% of the filing fees.

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OTHER FEES: Pursuant to Rule 10333 of the Code, Merrill Lynch, Pierce, Fenner and Smith,  
Inc., the member firm that the Associated Persons were employed with at the time of this  
dispute, has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously  
invoiced.

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Richard L. Ashton - Sole-Public Arbitrator

AFFIRMATION

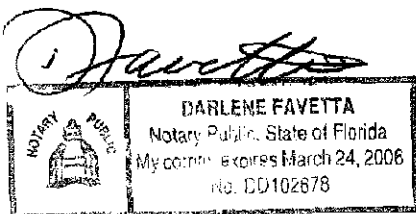
I, Richard L. Ashton, do hereby affirm, upon my oath as arbitrator that I am the individual described herein who executed this instrument, which is my oath and award.

*Richard L. Ashton*

Richard L. Ashton

*Oct. 18, 2004*

Signature Date



October 29, 2004

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