

**STIPULATED AWARD
NASD Dispute Resolution**

In the Matter of the Arbitration Between

Claimant

Bradley Bouck

and

Case Number: 04-02087
Hearing Site: Detroit, Michigan

Respondents

Olde Discount Corporation
n/k/a H&R Block Financial Advisors, Inc.,
and James Thomas Falardeau

NATURE OF DISPUTE

Customer v. Member and Associated Person

REPRESENTATION OF PARTIES

Bradley Bouck ("Claimant") was represented by Bradford T. Yaker, Esq., Nedelman Pawlak, PLLC, Farmington Hills, Michigan.

Olde Discount Corporation n/k/a H&R Block Financial Advisors, Inc. ("HRBFA"), and James Thomas Falardeau ("Falardeau"), hereinafter referred to collectively as "Respondents," were represented by David T. Doyle, Esq., and Howard M. Klausmeier, Esq., H&R Block Financial Advisors, Inc., Detroit, Michigan.

CASE INFORMATION

The Statement of Claim was filed on or about March 26, 2004. The Submission Agreement of Bradley Bouck was signed on or about September 8, 2000.

The Statement of Answer was filed jointly by Respondents on or about May 21, 2004. The Submission Agreement of HRBFA was signed on or about April 12, 2004 by David C. Andrew, General Counsel.

CASE SUMMARY

Claimant asserted the following causes of action: breach of fiduciary duty, violating principles of suitability, violation of NASD and NYSE Rules, violations of the SEC Act of 1934, and violations of the Michigan Uniform Securities Act. The causes of action related to Claimant's allegations that Respondents ignored Claimant's interests and financial

circumstances in connection with the sale of unspecified high risk securities. Claimant further asserted that he purchased securities on margin based on Respondents' recommendations and that Claimant did not understand the risk or implication of margin.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted affirmative defenses including the following: Respondents' actions were proper and in compliance with the law and applicable regulations; Respondents acted only at the direction and instruction of Claimant; and Claimant seeks reimbursement for his own investment decisions.

RELIEF REQUESTED

Claimant requested an award in the amount of \$180,000.00 in compensatory damages, plus interest, costs, attorneys' fees, punitive/exemplary damages, and other damages the panel deemed appropriate.

Respondents requested that the claims asserted against it be dismissed, that its costs and expenses associated with this arbitration be assessed against Claimant, and that all references to this matter be expunged from his CRD records.

OTHER ISSUES CONSIDERED & DECIDED

Respondent Falardeau did not file with NASD Dispute Resolution a properly executed submission to arbitration but is required to submit to arbitration pursuant to Rule 10301 of the NASD Code of Arbitration Procedure (the "Code") and having answered the claim, and appeared at the pre-hearing conference through counsel, is bound by the determination of the arbitration panel on all issues submitted.

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, having been withdrawn, are dismissed with prejudice;
- 2.) The panel recommends the expungement of all reference to the above captioned arbitration from Respondent James Thomas Falardeau's

registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notice to Members 99-09, Respondent James Thomas Falardeau must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive;

- 3.) Other than Forum Fees, which are specified below, the parties shall each bear their own costs and expenses incurred in this matter; and
- 4.) Any relief not specifically enumerated, including punitive damages 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 Olde Discount Corporation n/k/a H&R Block Financial Advisors, Inc.

Member surcharge = \$ 1,700.00

Pre-hearing process fee = \$ 750.00

Hearing process fee = \$ 2,750.00

Adjournment Fees

Adjournments requested during these proceedings:

April 12-14, 2005, adjournment requested jointly (fee waived) = \$ 1,125.00

Forum Fees and Assessments

The Panel has assessed forum fees for each hearing session conducted and each decision rendered on a discovery-related motion on the papers. 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:

Two (2) Pre-hearing sessions with Panel x \$1,125.00	= \$ 2,250.00
Pre-hearing conferences: August 31, 2004	1 session
August 30, 2005	1 session
Total Forum Fees	= \$ 2,250.00

The Arbitration Panel has assessed \$1,125.00 of the forum fees to Bradley Bouck.

The Arbitration Panel has assessed \$1,125.00 of the forum fees to jointly and severally to HRBFA and Falardeau.

Fee Summary

Claimant, Bradley Bouck, is liable for:

Initial Filing Fee	= \$ 300.00
Forum Fees	= \$ 1,125.00
Total Fees	= \$ 1,425.00
Less payments	= \$ 1,250.00
Balance Due NASD Dispute Resolution	= \$ 175.00

Respondent, HRBFA Financial Advisors, 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, HRBFA Financial Advisors, Inc., and James Thomas Falardeau, are jointly and severally liable for:

Forum Fees	= \$ 1,125.00
Total Fees	= \$ 1,125.00
Less payments	= \$ 459.06
Balance Due NASD Dispute Resolution	= \$ 665.94

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

ARBITRATION PANEL

Frederick F. Fordon - Public Arbitrator, Presiding Chair
David L. Tornga, Esq. - Public Arbitrator
Anthony J. Bove, III - Non-Public Arbitrator

Concurring Arbitrators:

/s/ Frederick F. Fordon
Frederick F. Fordon,
Public Arbitrator, Presiding Chair

01//03/06
Signature Date

/s/ Donald L. Tornga, Esq.
David L. Tornga, Esq.
Public Arbitrator

01/09/05 (sic)
Signature Date

/s/ Anthony J. Bove, III
Anthony J. Bove, III
Non-Public Arbitrator

01/03/06
Signature Date

01/12/06
Date of Service (For NASD office use only)

ARBITRATION PANEL

Frederick F. Fordon - Public Arbitrator, Presiding Chair
David L. Tornga, Esq. - Public Arbitrator
Anthony J. Bove, III - Non-Public Arbitrator

Concurring Arbitrators:

Frederick F. Fordon

Frederick F. Fordon,
Public Arbitrator, Presiding Chair

1/3/06
Signature Date

David L. Tornga, Esq.
Public Arbitrator

Signature Date

Anthony J. Bove, III
Non-Public Arbitrator

Signature Date

Date of Service (For NASD office use only)

ARBITRATION PANEL

Frederick F. Fordon - Public Arbitrator, Presiding Chair
David L. Tornga, Esq. - Public Arbitrator
Anthony J. Bove, III - Non-Public Arbitrator

Concurring Arbitrators:

Frederick F. Fordon,
Public Arbitrator, Presiding Chair

Signature Date

David L. Tornga, Esq.
Public Arbitrator

1-9-05

Signature Date

Anthony J. Bove, III
Non-Public Arbitrator

Signature Date

Date of Service (For NASD office use only)