

Stipulated Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Merrill Lynch, Pierce, Fenner & Smith Incorporated, Robert Milligan and Gregory Pease,
Claimants vs. Carl Weeder and Amelia Weeder, Respondents

Case Number: 04-02294

REPRESENTATION OF PARTIES

Claimants, Merrill Lynch, Pierce, Fenner & Smith Incorporated, Robert Milligan and Gregory Pease, hereinafter collectively referred to as "Claimants" appeared through Erika Schneider Downes, Esq., of the firm Bressler, Amery & Ross, P.C. Florham Park, NJ.

For Respondents, Carl Weeder and Amelia Weeder, hereinafter collectively referred to as "Respondents" appeared Frederick W. Rosenberg, Esq., 101 Eisenhower Parkway, Suite 300 Roseland, NJ.

NATURE OF DISPUTE

Member and Associated Persons vs. Customers

CASE INFORMATION

Statement of Claim filed on or about: April 2, 2004.

Claimants Merrill Lynch, Pierce, Fenner & Smith Incorporated, Robert Milligan and Gregory Pease signed the Uniform Submission Agreement: March 25, 2004.

Respondents waived Section 10314(b) of the NASD Code of Arbitration Procedure (the "Code") which pertains to the filing of an Answer and Section 10308 as it relates to the selection of an arbitration panel.

CASE SUMMARY

In their Statement of Claim, Claimants seek an order to expunge NASD Case No. 02-02668 from the NASD Central Registration Depository ("CRD") records of Mr. Pease and Mr. Mulligan.

RELIEF REQUESTED

Claimants seek an order to expunge NASD Case No. 02-02668 from the NASD Central Registration Depository ("CRD") records of Mr. Pease and Mr. Mulligan.

Respondents do not object to the relief requested by Claimants.

OTHER ISSUES CONSIDERED AND DECIDED

Respondents Carl Weeder and Amelia Weeder did not file with the NASD Dispute Resolution properly executed Uniform Submission Agreements but are required to submit to arbitration pursuant to the NASD Code of Arbitration Procedure (the "Code") and are bound by the determination of the Arbitrator on all issues submitted.

The parties agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

The Parties entered into an agreement to present to the Arbitrator a Stipulated Award. Now, in lieu of a hearing and upon motion of both parties for entry of an award, the written stipulation thereto the Arbitrator grants the motion and enters this award granting the following relief:

1) Claimants' claims are dismissed in their entirety. 2) The Panel recommends the expungement of all reference to NASD Case No. 02-02668 from Claimants Robert Milligan and Gregory Pease's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, Claimants Robert Milligan and Gregory Pease must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive. 3) Any and all relief not specifically addressed herein is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

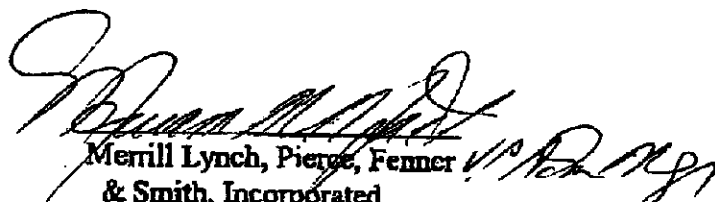
NASD Dispute Resolution shall retain the \$1,500.00 filing fee that the Claimants deposited previously.

Member Fees

Pursuant to Rule 10333 of the Code, Claimant Merrill Lynch, Pierce, Fenner & Smith, Inc, has paid to NASD Dispute Resolution the \$1,500.00 Member Surcharge previously invoiced.

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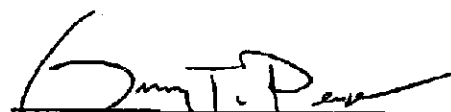
Parties' Signatures


Merrill Lynch, Pierce, Fenner
& Smith, Incorporated
Claimant

10/11/04
Signature Date


Robert Milligan
Claimant

10/11/04
Signature Date


Gregory Pease
Claimant

10/11/2004
Signature Date

Carl Weeder
Respondent

Signature Date

Amelia Weeder
Respondent

Signature Date

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Parties' Signatures

Merrill Lynch, Pierce, Fenner
& Smith, Incorporated
Claimant

Signature Date

Robert Milligan
Claimant

Signature Date

Gregory Pease
Claimant

Signature Date

Carl Weeder
Carl Weeder
Respondent

12/12/04
Signature Date

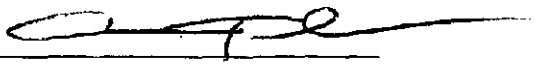
Amelia P. Weeder
Amelia Weeder
Respondent

12/13/04
Signature Date

ARBITRATOR

Catherine Tinker, Esq. – Sole Public Arbitrator

I, Catherine Tinker, 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


Catherine Tinker, Esq.

8-12-04
Signature Date

December 27, 2004
Date of Service (For NASD office use only)