

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-02596

Shelly Hopkins-Rigg, Claimant v. Merrill Lynch, Pierce, Fenner & Smith, Inc., Respondent

ATTORNEYS:

For Claimant Shelly Hopkins-Rigg ("Claimant") appeared Wm. Jemison Mims, Jr., Esq., of the firm Levin, Papantonio, Thomas, Mitchell, Echsner & Proctor, P.A., Pensacola, FL.

For Respondent Merrill Lynch, Pierce, Fenner & Smith, Inc. ("Respondent") appeared Bradley B. Rounsaville, Esq., of the firm Maynard, Cooper & Gale, P.C., Birmingham, AL.

NATURE OF DISPUTE: Customer v. Member.

DATE FILED: April 8, 2004.

CASE SUMMARY: Claimant alleged that Respondent failed to properly allocate the Claimant's portfolio and recommended unsuitable securities. Claimant further alleged that respondent provided fraudulent analyst reports, which recommended the purchase of, and set target prices for the common stock of companies without any reasonable factual basis. Claimant's claim involved shares of common stock.

Claim Data	Award Data
Claim: \$25,000.00	Award: \$.00
Punitive: Unspecified	Punitive: \$.00
Interest: Unspecified	Interest: \$.00
Attorney Fees: Unspecified	Attorney Fees: \$.00
Filing Fees: Unspecified	Filing Fees: \$212.50
Other: Unspecified	Other: \$.00

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 requests for punitive damages 3) All requests for interest are denied. 4) All requests for attorney fees are denied. 5) All other relief requests are denied. 6) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant deposited previously. 6) Respondent is liable for and shall pay Claimant \$212.50 as reimbursement of one-half of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent has paid to NASD DisputeResolution the \$425.00 Member Surcharge previously invoiced.

Page Two
Award 04-02596

ARBITRATOR

Paul J. Carey - Sole Public Arbitrator

AFFIRMATION

I, Paul J. Carey, 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.

Paul J. Carey
Paul J. Carey

10/18/04
Signature Date

October 28, 2004
Date of Service (For NASD-DR office use only)