

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-02634

Judith Roop, (Claimant) vs. Merrill Lynch, Pierce, Fenner & Smith, Inc., (Respondent)

ATTORNEYS:

For Claimant appeared Richard I. Lott, Esq., of the firm Levin Papantonio Thomas, Mitchell, Echsner & Proctor, P.A., Pensacola, FL.

For Respondent appeared Melinda J. Lucas, Esq., of the firm Maynard, Cooper & Gale, P.C., Birmingham, AL.

NATURE OF DISPUTE: Customer vs. Member

DATE FILED: April 7, 2004

CASE SUMMARY: Claimant alleged Respondent placed her in investments that were unsuitable for her needs and investment objectives. Claimant further alleged failure to comply with fiduciary duties, production of fraudulent analyst reports, negligent misrepresentation, negligence, breach of contract and violation of Blue Sky Laws. Claimant maintained that due to Respondent's actions, her account suffered losses. Claimant's claim involved unspecified securities products.

Claim Data

Claim: \$25,000.00
Interest: Unspecified
Punitive: Unspecified
Attorney Fees: Unspecified
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$25,000.00
Interest: \$.00
Punitive: \$.00
Attorney Fees: \$.00
Filing Fees: \$425.00
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is liable and shall pay to the claimant \$25,000.00. 2) All requests for attorney fees are denied. 3) All requests for punitive damages are denied. 4) All requests for interest 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. 7) Respondent is liable and shall pay claimant \$425.00 as reimbursement of the filing fee.

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

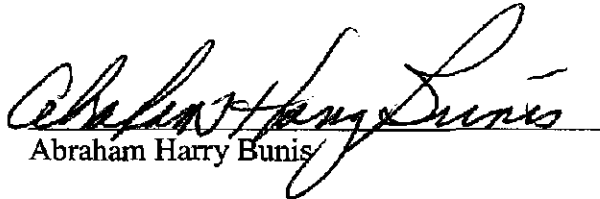
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Abraham Harry Bunis

Sole Public Arbitrator

AFFIRMATION

I, Abraham Harry Bunis, 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.


Abraham Harry Bunis

6/11/05
(Signature Date)

June 24, 2005
Date of Service (For NASD-DR office use only)