
Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Name of the Claimant
Adele S. Bloom

Case Number: 04-03100

Name of the Respondent
Wachovia Securities Financial
Network, LLC

Hearing Site: Boca Raton, FL

Nature of the Dispute: Customer vs. Member.

REPRESENTATION OF PARTIES

For Adele S. Bloom ("Bloom"), hereinafter referred to as "Claimant": Steven R. Reininger, Esq., Rasco Reininger Perez & Esquenazi, P.L., Coral Gables, Florida.

For Wachovia Securities Financial Network, LLC ("Wachovia") hereinafter referred to as "Respondent": Beverly Slaughter, Vice President, Wachovia Securities, LLC, Richmond, Virginia.

CASE INFORMATION

Statement of Claim filed on or about: April 27, 2004.

Claimant signed the Uniform Submission Agreement: April 26, 2004.

Statement of Answer filed by Respondent on or about: July 9, 2004.

Respondent signed the Uniform Submission Agreement: July 9, 2004.

CASE SUMMARY

Claimant asserted the following causes of action: 1) violation of Section 517.301, Florida Statutes; 2) failure to supervise; 3) breach of fiduciary duty; 4) violations of the "suitability rule" and the "know your customer rule;" and 5) negligence/mismanagement. The causes of action relate to the purchase and sale of unspecified mutual funds, an annuity and shares of stock in CMGI, Lucent, Dell, Qualcomm, Mirage Resorts, Ciena, Corel, Etoys, Net 2 Phone, Cheap Tickets, Inc., Priceline.com, Amazon.com, Internet Capital Group, JDS Uniphase, Palm, Starmedia, Verticalnet, Yahoo, Arriba and Amgen.

Unless specifically admitted in its Answer, Respondent denied the allegations made in the Statement of Claim and asserted various defenses.

RELIEF REQUESTED

Claimants requested compensatory damages in excess of \$100,000.00 but less than \$500,000.00, plus interest, attorney's fees, punitive damages, costs and such other relief as is deemed just and proper.

Respondent requested that all claims against it be dismissed and such other and further relief as is deemed just and proper.

OTHER ISSUES CONSIDERED AND DECIDED

The parties have agreed that the Award in this matter may be executed in counterpart copies.

AWARD

After considering the pleadings, and the testimony and evidence presented at the hearing, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Claimants' claims are dismissed in their entirety.
2. Any and all claims for relief not specifically addressed herein, including Claimants' claims for relief pursuant to Chapter 517, Florida Statutes and Claimants' request for punitive damages and attorney's fees, are denied.

FEES

Pursuant to the NASD Code of Arbitration Procedure (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
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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. Accordingly, Respondent Wachovia is a member firm and a party.

Member surcharge	= \$1,700.00
Pre-hearing process fee	= \$ 750.00
<u>Hearing process fee</u>	<u>= \$2,750.00</u>
Total Member Fees	= \$5,200.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed.

No adjournment fees were incurred during these proceedings.

Three-Day Cancellation Fees

Fees apply when a hearing on the merits is postponed or settled within three business days before the start of a scheduled hearing session.

No three-day cancellation fees were incurred during these proceedings.

Injunctive Relief Fees

Injunctive relief fees are assessed to each member or associated person who files for a temporary injunction in court. Parties in these cases are also assessed arbitrator travel expenses and costs when an arbitrator is required to travel outside his or her hearing location and additional arbitrator honoraria for the hearing for permanent injunction. These fees, except the injunctive relief surcharge, are assessed equally against each party unless otherwise directed by the panel.

No injunctive relief fees were incurred during these proceedings.

Forum Fees and Assessments

The Panel has assessed forum fees for each session conducted. A session is any meeting between the parties and the arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with a single arbitrator @ 450.00	= \$ 450.00
Pre-hearing conference: December 21, 2004	1 session
One (1) Pre-hearing sessions with the Panel @ \$1,125.00	= \$1,125.00
Pre-hearing conference: October 20, 2004	1 session
Six (6) Hearing sessions with the Panel @ \$1,125.00	= \$6,750.00
Hearing Dates: January 26, 2005	2 sessions
January 27, 2005	2 sessions
January 28, 2005	2 sessions
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Total Forum Fees	= \$8,325.00

The Panel has assessed \$4,162.50 of the forum fees to Claimant.
The Panel has assessed \$4,162.50 of the forum fees to Respondent.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but are not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

No administrative costs were incurred during these proceedings.

Fee Summary

Claimant is solely liable for:

Initial Filing Fee	= \$ 300.00
Forum Fees	= \$4,162.50
Total Fees	= \$4,462.50
Less payments	= \$1,425.00
Balance Due NASD Dispute Resolution	= \$3,037.50

Respondent is solely liable for:

Member Fees	= \$5,200.00
Forum Fees	= \$4,162.50
Total Fees	= \$9,362.50
Less payments	= \$5,200.00
Balance Due NASD Dispute Resolution	= \$4,162.50

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

ARBITRATION PANEL

Walter B. Bancroft	-	Public Arbitrator, Presiding Chairperson
Willie E. Williams	-	Public Arbitrator
Ned B. Young	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

_____/s/
Walter B. Bancroft
Public Arbitrator, Presiding Chairperson

February 9, 2005
Signature Date

_____/s/
Willie E. Williams
Public Arbitrator

February 9, 2005
Signature Date

_____/s/
Ned B. Young
Non-Public Arbitrator

February 9, 2005
Signature Date

February 9, 2005
Date of Service (For NASD Dispute Resolution office use only)

NASD Dispute Resolution
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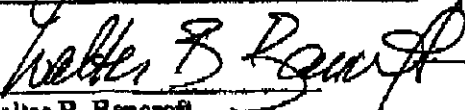
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Willie E. Williams	-	Public Arbitrator
Ned B. Young	-	Non-Public Arbitrator

Consenting Arbitrators' Signatures


Walter B. Bancroft
Public Arbitrator, Presiding Chairperson

2/09/2005
Signature Date

Willie E. Williams
Public Arbitrator

Signature Date

Ned B. Young
Non-Public Arbitrator

Signature Date

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Walter B. Bancroft
Public Arbitrator, Presiding Chairperson

Signature Date

Willie E. Williams
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Public Arbitrator

02-09-2005
Signature Date

Ned B. Young
Non-Public Arbitrator

Signature Date

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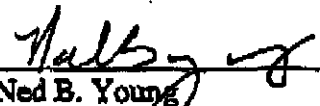
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Walter B. Bancroft
Public Arbitrator, Presiding Chairperson

Signature Date

Willie E. Williams
Public Arbitrator

Signature Date



Ned B. Young
Non-Public Arbitrator

2-9-05

Signature Date

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