

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-03761

John Herron, Executor of the Estate of Vincent Herron, Claimant v. Quick & Reilly, Inc. and Christopher F. Duffy, Respondents

ATTORNEYS:

Claimant John Herron, Executor of the Estate of Vincent Herron ("Claimant") appeared *pro se*, Noblesville, IN.

For Respondent Quick & Reilly, Inc. appeared Matthew S. Diggins, Esq., in-house counsel, Quick & Reilly, Inc., New York, NY.

Respondent Christopher F. Duffy did not file a Statement of Answer in this matter.

Quick & Reilly, Inc. and Christopher F. Duffy are hereinafter collectively referred to as "Respondents".

NATURE OF DISPUTE: Customer v. Member and Associated Person.

DATE FILED: May 25, 2004.

CASE SUMMARY: Claimant alleged that Respondents were negligent when Respondents issued a check for payment that was returned for insufficient funds. Claimant maintained that due to Respondents' negligence, the account suffered losses. Claimant's claim did not involve securities.

Claim Data

Claim: \$1,753.00
Interest: Unspecified
Filing Fees: \$0.00
Other: Unspecified

Award Data

Award: \$1,753.00
Interest: \$0.00
Filing Fees: \$75.00
Other: \$0.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents are jointly and severally liable and shall pay to the Claimant \$1,753.00. 2) All requests for interest are denied. 3) All other relief requests are denied. 4) NASD Dispute Resolution shall retain the \$75.00 filing fee that the Claimant deposited previously. 6) Respondents are jointly and severally liable and shall pay Claimant \$75.00 as reimbursement of the filing fee.

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OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent Quick & Reilly, Inc. has paid to NASD Dispute Resolution the \$150.00 Member Surcharge previously invoiced.


OTHER ISSUES: Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that Respondent Christopher Duffy was served notice of the Statement of Claim and Notification of Arbitrator by regular mail, and Overdue Notice by certified mail, as evidenced by the signed signature card on file and is therefore bound by the arbitrator's ruling and determination.

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Joseph V. Simeri, JD - Sole Public Arbitrator

AFFIRMATION

I, Joseph V. Simeri, JD, 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.



Joseph V. Simeri, JD

2-2-05
Signature Date

February 10, 2005
Date of Service (For NASD-DR office use only)
