

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION**

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CASE: 04-05096

Patricia A. Dooley, Claimant v. Quick & Reilly, Inc. and Jorge Pereira, Respondents

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**ATTORNEYS:**

For Claimant Patricia A. Dooley ("Claimant") appeared Jill Gross, of John Jay Legal Services, Inc., White Plains, NY.

For Respondents Quick & Reilly, Inc. and Jorge Pereira (collectively "Respondents") appeared Matthew S. Diggins, Esq., in-house counsel, Quick & Reilly, Inc., New York, NY.

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

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**DATE FILED:** July 15, 2004.

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**CASE SUMMARY:** Claimant alleged that Respondents created losses in her account due to their negligent misrepresentations and unsuitable recommendations to her. Claimant further alleged that Respondent Quick & Reilly, Inc. failed to supervise Respondent Jorge Pereira. Claimant's claim involved mutual funds.

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**ARBITRATOR'S REPORT:** Compensatory damages were reduced in view of Claimant's admitted contributory negligence in failing to review the application prior to signing it.

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**Claim Data**

Claim: \$5,000.00  
Interest: 9%  
Filing Fees: \$175.00  
Other: Unspecified

**Award Data**

Award: \$3,000.00  
Interest: \$.00  
Filing Fees: \$87.50  
Other: \$.00

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**AWARD:** The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent Jorge Pereira is liable and shall pay to Claimant \$2,000.00. 2) Respondent Quick & Reilly, Inc. is liable and shall pay to Claimant \$1,000.00. 3) All requests for interest are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$175.00 filing fee that the Claimant deposited previously. 6) Respondent Quick & Reilly is liable and shall pay Claimant \$43.75 as reimbursement of 25% of the filing fee. 7) Respondent Jorge Pereira is liable and shall pay Claimant \$43.75 as reimbursement of 25% of the filing fee.

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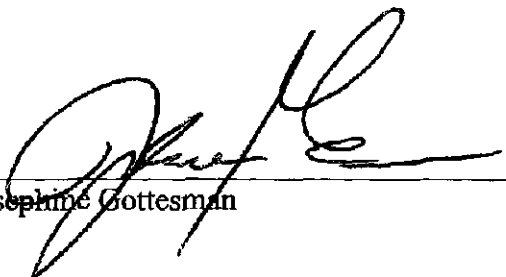
**OTHER FEES:** Pursuant to Rule 10333 of the Code, Respondent Quick & Reilly, Inc. has paid to NASD Dispute Resolution the \$150.00 Member Surcharge previously invoiced.

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Award 04-05096

Josephine Gottesman - Sole Public Arbitrator

AFFIRMATION

I, Josephine Gottesman, do hereby affirm, pursuant to Article 7507 of the Civil Practice Law and Rules, that I am the individual described herein, and who executed this instrument which is my award.

  
\_\_\_\_\_  
Josephine Gottesman

1/7/05  
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Signature Date

January 18, 2005  
\_\_\_\_\_  
Date of Service (For NASD-DR office use only)