

**Award
NASD Dispute Resolution**

In the Matter of the Arbitration Between:

Names of the Claimants

Ronald and Patricia Coppola
Guardians for Ryan Coppola, Colin Coppola
and Catherine Coppola

Case Number: 04-05934

Names of the Respondents

Wachovia Securities, LLC
Thomas Michael Juliano

Hearing Site: Philadelphia, PA

Nature of the Dispute: Customers vs. Member and Associated Person.

REPRESENTATION OF PARTIES

Claimants, Ronald and Patricia Coppola, guardians for Ryan Coppola, Colin Coppola and Catherine Coppola, hereinafter collectively referred to as "Claimants", were represented by David Sternberg, Esq., Wapner Newman Wigrizer & Brecher, P.C., Philadelphia, Pennsylvania.

Respondent, Wachovia Securities, LLC ("Wachovia") was represented by Derek C. Anderson, Esq., Michaels & Ward, LLP, Boston, Massachusetts.

Respondent Thomas Michael Juliano ("Juliano") was represented by Stephen B. Wexler, Esq and Norman B. Arnoff, Esq., Wexler & Burkhardt, P.C., Mitchell Field, New York.

CASE INFORMATION

Statement of Claim filed on August 23, 2004.

Claimants signed the Uniform Submission Agreement on August 1, 2004.

Motion to Dismiss and Statement of Answer filed by Respondent Wachovia on December 22, 2004.

Answer to Statement of Claim filed by Respondent Juliano on December 6, 2004.

Amended Answer to Statement of Claim filed by Respondent Juliano on December 16, 2004.

A representative of Respondent Wachovia executed the Uniform Submission Agreement on December 22, 2004.

Respondent Juliano signed the Uniform Submission Agreement on October 18, 2004.

Motion to Dismiss filed by Respondent Juliano on January 6, 2005.

Claimants filed a Reply to Respondents Wachovia and Juliano's Motions to Dismiss on February 3, 2005.

Respondent Wachovia filed a Reply in Further Support of its Motion to Dismiss on February 10, 2005.

Respondent Juliano filed a Reply in Support of his Motion to Dismiss on March 18, 2005.

CASE SUMMARY

In the Statement of Claim, Claimants asserted the following causes of action, among others: failure to supervise, breach of contract, and unsuitability. The causes of action relate to the purchase and sale of WorldCom, Sun Microsystems and Qualcomm common stock.

Unless specifically admitted in its Statement of Answer, Respondent Wachovia denied the allegations made in the Statement of Claim and asserted the following defenses, among others: failure to state a claim upon which relief may be granted; Claimants' claims are barred by the doctrines of ratification, affirmance, waiver, consent and estoppel; failure to mitigate damages; all damages sustained by Claimants occurred as the result of external market factors over which Respondent Wachovia has no control; and Claimants' alleged damages are wholly speculative and are not recoverable from Respondent Wachovia.

Unless specifically admitted in his Answer to Statement of Claim and Amended Answer to Statement of Claim, Respondent Juliano denied the allegations made in the Statement of Claim and asserted the following defenses: Claimants' claims are barred by the applicable statutes of limitation and Claimants' claims fail to state a cause of action.

RELIEF REQUESTED

Claimants in the Statement of Claim requested:

Compensatory Damages	\$ 64,401.00
Punitive Damages	amount unspecified
Attorneys' Fees	amount unspecified
Interest	amount unspecified
Other Costs	amount unspecified

Respondent Wachovia in its Statement of Answer requested that the Arbitration Panel (the "Panel") dismiss the Statement of Claim with prejudice and award it all reasonable costs and expenses, including forum fees.

Respondent Juliano in his Answer to Statement of Claim and Amended Answer to Statement of Claim requested that the Statement of Claim be dismissed as without merit and that he be awarded forum fees, costs and attorneys' fees.

OTHER ISSUES CONSIDERED AND DECIDED

On March 3, 2005, the Panel ordered that the Respondents' Motions to Dismiss would be considered at the hearing on the merits.

Arbitrator Joseph Pittelli was unable to attend the hearings on the merits in person. The Panel and parties agreed to allow the hearings to proceed with arbitrator Pittelli attending via teleconference.

At the hearing on the merits, the Panel denied Respondents' Motions to Dismiss.

The parties agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

After considering the pleadings, 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 denied in their entirety;
2. The parties shall bear their respective costs, including attorneys' fees, except as Fees are specifically addressed below; and
3. Any and all relief not specifically addressed herein, including punitive damages, is denied in its entirety.

FEES

Pursuant to 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	= \$ 225.00
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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 party.

Member surcharge	= \$ 1,100.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$ 1,700.00

Forum Fees and Assessments

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

One (1) Pre-hearing session with Panel @ \$ 750.00	= \$ 750.00
Pre-hearing conference: March 23, 2005 1 session	

Four (4) Hearing sessions @ \$ 750.00	= \$ 3,000.00
Hearing Dates: November 17, 2005 2 sessions	
November 18, 2005 2 sessions	

Total Forum Fees = \$ 3,750.00

1. The Panel has assessed \$ 3,375.00 of the forum fees jointly and severally to Claimants.
2. The Panel has assessed \$ 375.00 of the forum fees to Respondent Juliano.

Fee Summary

1. Claimants are jointly and severally assessed and shall pay:

Initial Filing Fee	= \$ 225.00
Forum Fees	= \$ 3,375.00
<hr/> Total Fees	<hr/> = \$ 3,600.00
Less payments	= \$ 975.00
<hr/> Balance Due NASD Dispute Resolution	<hr/> = \$ 2,625.00

2. Respondent Wachovia is assessed and shall pay:

Member Fees	= \$ 3,550.00
Total Fees	= \$ 3,550.00
<hr/> Less payments	<hr/> = \$ 3,550.00
<hr/> Balance Due NASD Dispute Resolution	<hr/> = \$ 0.00

3. Respondent Juliano is assessed and shall pay:

Forum Fees	= \$ 375.00
Total Fees	= \$ 375.00
<hr/> Less payments	<hr/> = \$ 0.00
<hr/> Balance Due NASD Dispute Resolution	<hr/> = \$ 375.00

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

ARBITRATION PANEL

Gladys Gershenfeld	-	Public Arbitrator, Presiding Chairperson
Elliot B. Platt, Esq.	-	Public Arbitrator, Panelist
Joseph F. Pittelli, Ph.D	-	Non-Public Arbitrator, Panelist

Concurring Arbitrators' Signatures

Gladys Gershenfeld

Gladys Gershenfeld
Public Arbitrator, Presiding Chairperson

12/14/05
Signature Date

Elliott B. Platt, Esq.
Public Arbitrator, Panelist

Signature Date

Joseph F. Pittelli, Ph.D.
Non-Public Arbitrator, Panelist

Signature Date

December 14, 2005

Date of Service (For NASD Dispute Resolution office use only)

NASD Dispute Resolution

Arbitration No. 04-0593

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Signature Date



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