

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-06705

Linda Miska (Claimant) v. Robert and Aline Jandreau (Respondents)

ATTORNEYS:

For Claimant Linda Miska ("Claimant") appeared Julie Wilson Portera, Esq., of the firm Maynard, Cooper & Gale, P.C., Birmingham, AL.

For Respondents Robert and Aline Jandreau (collectively "Respondents") appeared Michael B. Lynch, Esq., of the firm Hooper & Weiss, LLC, Orlando, FL.

NATURE OF DISPUTE: Associated Person vs. Customers.

DATE FILED: September 20, 2004

CASE SUMMARY: Claimant is requesting expungement of previously filed NASD Arbitration Case Number 03-03400 in accordance with the settlement the parties agreed upon.

Claim Data

Claim: Expungement

Award Data

Award: Granted

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The Arbitrator granted Claimant's request for expungement. Therefore, the Panel recommends the expungement of all reference to the previously filed NASD Arbitration Case Number 03-03400 from Claimant Linda Miska's registration records maintained by the Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notices to Members 04-16, Claimant Linda Miska must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive. Unless specifically waived in writing by the NASD, parties seeking judicial confirmation of an arbitration award containing expungement relief must name NASD as an additional party and serve NASD with all appropriate documents. Pursuant to Rule 2130 of the NASD Code of Arbitration Procedure, the arbitration panel has made the following affirmative findings of fact: The registered person was not involved in the alleged investment-related sales practice violation, forgery, theft, misappropriation, or conversion of funds. In addition, the expungement relief and accompanying findings on which it is based are meritorious and the expungement will have no material adverse effect on investor protection, the integrity of the CRD system, or regulatory requirements. 2) All other relief requests are denied. 3) NASD Dispute Resolution shall retain the \$1,250.00 filing fee that the Claimant deposited previously.

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OTHER ISSUES: On or about September 20, 2004, the parties notified NASD Dispute Resolution that the parties waived their right to service of the Statement of Claim; requested a shortened timeframe for the list of arbitrators, and responses; and that a public arbitrator serve on this matter.

OTHER FEES: Pursuant to Rule 10333 of the Code, Merrill Lynch, Pierce, Fenner & Smith, Inc., the member firm that the Claimant was associated with at the time of the dispute, has paid to NASD Dispute Resolution the \$1,500.00 Member Surcharge previously invoiced.

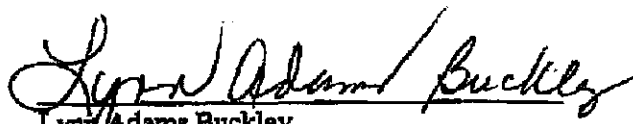
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ARBITRATOR

Lynn Adams Buckley - Sole Public Arbitrator

AFFIRMATION

I, Lynn Adams Buckley, 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.


Lynn Adams Buckley

4/14/05
Signature Date

April 20, 2005
Date of Service (For NASD-DR office use only)