

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

---

CASE: 04-08556

Anthony V. Serba (Claimant) v. D. Mark Tidwell (Respondent)

---

**ATTORNEYS:**

Claimant Anthony V. Serba ("Claimant") appeared *pro se*, Houston, TX.

For Respondent D. Mark Tidwell ("Respondent") appeared Keith Lorenze, of the firm Ogden, Gibson, White, Brooks & Longoria, LLP, Houston, TX.

---

**NATURE OF DISPUTE:** Customer vs. Associated Person.

---

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

---

**CASE SUMMARY:** Claimant alleged that due to misrepresentations, omissions of material facts, churning, and poor investment advice, Claimant's account suffered severe losses. Claimant's claim involved preferred stock.

---

**Claim Data**

Claim: \$10,291.09  
Punitive: \$10,291.09  
Interest: \$1,200.00  
Other: \$50.00

**Award Data**

Award: \$0.00  
Punitive: \$0.00  
Interest: \$0.00  
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) The claims of Claimant are dismissed in their entirety. 2) All requests for punitive damages are denied. 3) All requests for interest are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant deposited previously.

---

**OTHER FEES:** Pursuant to Rule 10333 of the Code, Merrill Lynch, Pierce, Fenner & Smith, Inc., the member firm that Respondent was associated with at the time of the dispute, has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

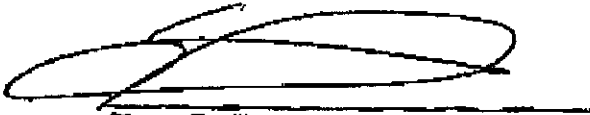
---

Sherry R. Wetsch, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Sherry R. Wetsch, Esq., 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.



Sherry R. Wetsch, Esq.

\_\_\_\_\_  
Signature Date

June 1, 2005  
Date of Service (For NASD-DR office use only)