

**Award
NASD Dispute Resolution**

In the Matter of the Arbitration Between:

Name of the Claimant
Claudia C. Coleman

Case Number: 05-00058

Name of the Respondent
Wachovia Securities, LLC

Hearing Site: Raleigh, NC

Nature of the Dispute: Customer v. Member.

REPRESENTATION OF PARTIES

Claimant, Claudia C. Coleman, hereinafter referred to as "Claimant", was represented by Mathew E. Bates, Esq., Attorney at Law, Greensboro, North Carolina.

Respondent, Wachovia Securities, LLC, hereinafter referred to as "Respondent", was represented by David J. Rice, Esq., Wachovia Securities, LLC, Richmond, Virginia.

CASE INFORMATION

Statement of Claim filed on January 5, 2005.

Claimant signed the Uniform Submission Agreement on December 20, 2004.

Statement of Answer and Motion to Dismiss filed by Respondent on March 8, 2005.

A representative of Respondent executed the Uniform Submission Agreement on March 7, 2005.

CASE SUMMARY

Claimant asserted the following causes of action, among others: suitability, breach of fiduciary duties, failure to supervise, misrepresentations, *respondeat superior*, violation of Section 78 A-56 (c) and violation of Section 20 of the Securities Exchange Act of 1934. The causes of action relate to the handling of her account by Respondent.

Unless specifically admitted in its Answer, Respondent denied the allegations made in the Statement of Claim and asserted the following defenses, among others: authorization; Claimant's claims are barred by the doctrines of waiver, ratification, laches, and estoppel; Claimant's claims are barred by the statute of limitations; assumption of the risk; failure to mitigate damages; and failure to state a claim upon which relief may be granted.

RELIEF REQUESTED

In the Statement of Claim Claimant requested:

Compensatory Damages

\$ 193,879.35

Interest	amount unspecified
Attorneys' Fees	amount unspecified
Other Costs	amount unspecified

Respondents requested that the Claimant's claims be rejected and that costs and forum fees be assessed against Claimant.

OTHER ISSUES CONSIDERED AND DECIDED

By order dated July 8, 2005, the Arbitration Panel (the "Panel") denied Respondent's Motion to Dismiss.

At the hearing on the merits, Respondent made an oral motion to dismiss, which the Panel denied.

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. Claimant's claims are denied in their entirety;
2. Respondent is liable to and shall pay to Claimant the sum of \$300.00 in reimbursement for the initial-claim filing fee;
3. That the parties shall bear their respective costs, including attorneys' fees, except as Fees are specifically addressed below; and
3. That any and all relief not specifically addressed herein 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	= \$ 300.00
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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 is a party.

Member surcharge	= \$	1,700.00
Pre-hearing process fee	= \$	750.00
Hearing process fee	= \$	2,750.00

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 a single arbitrator @ \$ 450.00	= \$	450.00
Pre-hearing conference: February 13, 2006 1 session		
Two (2) Pre-hearing sessions with the Panel @ \$ 1,125.00	= \$	2,250.00
Pre-hearing conferences: June 2, 2005 1 session		
July 8, 2005 1 session		
Two (2) Hearing sessions @ \$ 1,125.00	= \$	2,250.00
Hearing Date: May 2, 2006 2 sessions		
Total Forum Fees	= \$	4,950.00

The Panel has assessed \$ 4,950.00 of the forum fees to Respondent.

Fee Summary

1. Claimant is assessed and shall pay:

Initial Filing Fee	= \$	300.00
Total Fees	= \$	300.00
Less payments	= \$	1,425.00
Refund Due Claimant	= \$	1,125.00

2. Respondent is assessed and shall pay:

Member Fees	= \$	5,200.00
Forum Fees	= \$	4,950.00
Total Fees	= \$	10,150.00
Less payments	= \$	5,200.00
Balance Due NASD Dispute Resolution	= \$	4,950.00

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

ARBITRATION PANEL

Lynn T. Albert, Esq.	-	Public Arbitrator, Presiding Chairperson
Philip H. DeTurk, Esq.	-	Public Arbitrator, Panelist
David P. McDuffee	-	Non-Public Arbitrator, Panelist

Concurring Arbitrators' Signatures


Lynne T. Albert, Esq.
Public Arbitrator, Presiding Chairperson

5/4/06
Signature Date

Philip H. DeTurk
Public Arbitrator, Panelist

Signature Date

David P. McDuffee
Non-Public Arbitrator, Panelist


Signature Date

May 4, 2006
Date of Service (For NASD Dispute Resolution office use only)

Concurring Arbitrators' Signatures

Lynne T. Albert, Esq.
Public Arbitrator, Presiding Chairperson

Signature Date


Philip H. DeTurk
Public Arbitrator, Panelist

5/3/06
Signature Date

David P. McDuffee
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Public Arbitrator, Presiding Chairperson

Signature Date

Philip H. DeTurk
Public Arbitrator, Panelist

Signature Date



David P. McDuffee
Non-Public Arbitrator, Panelist

3 May 2006
Signature Date

May 4, 2006
Date of Service (For NASD Dispute Resolution office use only)