

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-00740

Veral A. Terry and Dorothy L. Terry, (Claimants) vs. Michael Saylor and Edward D. Jones & Co., (Respondents)

ATTORNEYS:

For Claimants appeared Leslie J. Peters, Esq., Metropolis, IL.

For Respondents appeared David J. Simmons, Esq., of the firm Greensfelder, Hemker & Gale, P.C., St. Louis, MO.

NATURE OF DISPUTE: Customers v. Member and Associated Person

DATE FILED: February 3, 2005

CASE SUMMARY: Claimants alleged that Respondents omission of facts, breach of fiduciary duty; suitability and misrepresentations. Claimants maintained that due to Respondents' actions, they suffered financial losses. Claimants' claim involved mutual funds and annuities.

Claim Data

Claim: \$25,000.00
Attorney Fees: Unspecified
Filing Fees: Unspecified

Award Data

Award: \$15,000.00
Attorney Fees: \$0.00
Filing Fees: \$255.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents are jointly and severally liable and shall pay to the Claimant \$15,000.00. 2) All requests for attorney fees are denied. 3) All other relief requests are denied. 4) NASD Dispute Resolution shall retain the \$425.00 filing fee that the claimant deposited previously. 5) Respondent Michael Saylor is liable and shall pay to the Claimants \$127.50 as reimbursement of 30% of the filing fee. 6) Respondent Edward D. Jones & Co. is liable and shall pay to the Claimants \$127.50 as reimbursement of 30% of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent, Edward D. Jones & Co. has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

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Award 05-00740

Roger B. Johnston

Sole Public Arbitrator

AFFIRMATION

I, Roger B. Johnston, 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.

Roger B. Johnston
Roger B. Johnston

August 24, 2005
(Signature Date)

August 25, 2005
Date of Service (For NASD-DR office use only)