

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-01165

Kathleen Ann Maher-McHale, IRRA (Claimant) vs. Merrill Lynch, Pierce, Fenner & Smith, Inc.,
(Respondent)

ATTORNEYS:

Claimant appeared pro se, Glen Mills, PA.

For Respondent appeared in-house counsel, H. Kyeng Lee, Esq., New York, NY.

NATURE OF DISPUTE: Customer vs. Member

DATE FILED: March 3, 2005

CASE SUMMARY: Claimant alleged that Respondent's negligence and failure to properly advise her of the terms of her account resulted in penalties from the IRS. Claimant maintained that due to Respondent's actions, she suffered a financial loss. Claimant's claim did not specify any types of securities.

Claim Data

Claim: \$8,367.57
Interest: \$575.00
Filing Fees: \$575.00
Other: \$150.00

Award Data

Award: \$.00
Interest: \$.00
Filing Fees: \$162.50
Other: \$.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 interest are denied. 3) All other relief requests are denied. 4) NASD Dispute Resolution shall retain the \$325.00 filing fee that the Claimant deposited previously. 5) Respondent is liable and shall pay Claimant \$162.50 as reimbursement of one half of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent has paid to NASD Dispute Resolution the \$325.00 Member Surcharge previously invoiced.

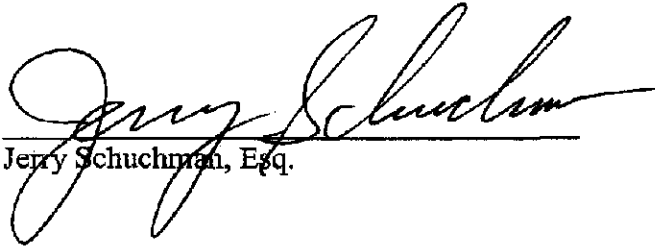
Page Two
Award 05-01165

Jerry Schuchman, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Jerry Schuchman, 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.


Jerry Schuchman, Esq.

8/8/2005
(Signature Date)

August 16, 2005

Date of Service (For NASD-DR office use only)