

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-01871

John J. Patino, (Claimant) vs. H&R Block Financial Advisors, Inc., (Respondent)

ATTORNEYS:

Claimant appeared pro se, Warren, MI.

For Respondent appeared in-house counsel, Lisa S. Fildes, Esq., Detroit, MI.

NATURE OF DISPUTE: Customer vs. Member

DATE FILED: April 6, 2005

CASE SUMMARY: Claimant alleged that Respondent gave him poor recommendations regarding the sale of his Apple Stock. Claimant further alleged breach of fiduciary duty, churning, omission of facts and breach of contract. Claimant maintained that due to Respondent's actions, he suffered financial losses. Claimant's claim involved common stock, including Apple Stock.

Claim Data

Claim: \$15,000.00

Filing Fees: \$.00

Award Data

Award: \$.00

Filing Fees: \$212.50

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 the Claimant are dismissed in their entirety. 2) All requests for punitive damages 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 is liable and shall pay Claimant \$212.50 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 \$00.00 Member Surcharge previously invoiced.

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Award 05-01871

David F. Simon

Sole Public Arbitrator

AFFIRMATION

I, David F. Simon, 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.



David F. Simon

September 20, 2005
(Signature Date)

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