

**Award**  
**NASD Dispute Resolution**

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In the Matter of the Arbitration Between:

Name of the Claimant

Case Number: 05-01970

Patricia J. Wilson

Name of the Respondents

Hearing Site: Pittsburgh, Pennsylvania

Wells Fargo Investments, LLC  
Sarah Fajardo

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Nature of the Dispute: Customer vs. Member and Associated Person.

REPRESENTATION OF PARTIES

Claimant, Patricia J. Wilson, hereinafter referred to as "Claimant", was represented by Susan Wilson, New Castle, Pennsylvania.

Respondents, Wells Fargo Investments, LLC ("Wells Fargo") and Sarah Fajardo ("Fajardo"), hereinafter collectively referred to as "Respondents", were represented by Thomas F. Kospsehver, Esq., Wells Fargo Bank, San Francisco, California.

CASE INFORMATION

Statement of Claim filed on or about April 14, 2005.

Claimant signed the Uniform Submission Agreement on April 11, 2005.

Statement of Answer filed by Respondents on June 9, 2005.

Respondent Fajardo signed the Uniform Submission Agreement on June 9, 2005.

A representative of Respondent Wells Fargo executed the Uniform Submission Agreement on June 6, 2005.

CASE SUMMARY

Claimant asserted a cause of action for negligence. The cause of action relates to the sale of an annuity.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim.

RELIEF REQUESTED

Claimant in her Statement of Claim requested compensatory damages of \$9,300.00.

Respondents in their Statement of Answer requested that the claim be dismissed and they be awarded their costs incurred in this proceeding.

#### OTHER ISSUES CONSIDERED AND DECIDED

At the hearing, Respondent Fajardo requested that her record with the NASD Central Registration Depository be expunged.

#### AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, the Arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

1. All claims against Respondents are denied in their entirety;
2. The Panel recommends the expungement of all reference to the above captioned arbitration from Respondent Fajardo's registration records maintained by the Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notice to Members 04-16, Respondent Fajardo must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.

Unless specifically waived in writing by the NASD, parties seeking judicial confirmation of an arbitration award containing expungement relief must name NASD as an additional party and serve NASD with all appropriate documents.

Pursuant to Rule 2130, the arbitration panel has made the following affirmative findings of fact:

The claim, allegation, or information is false.

3. The parties shall bear their respective costs, including attorneys' fees, except as Fees are specifically addressed below; and
4. 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 = \$ 75.00

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firms that employed the associated person(s) at the time of the events giving rise to the dispute. Accordingly, Respondent Wells Fargo is a party.

Member surcharge = \$325.00

Forum Fees and Assessments

The Arbitrator 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 @ \$250.00 = \$250.00  
Pre-hearing conference: September 8, 2005 1 session

Two (2) Hearing sessions @ \$250.00 = \$500.00  
Hearing Dates: December 8, 2005 2 sessions

Total Forum Fees = \$750.00

1. The Arbitrator has assessed \$750.00 of the forum fees to Claimant.

SEE SUMMARY

1. Claimant is assessed and shall pay the following fees:

Initial Filing Fee	= \$ 75.00
Forum Fees	= \$750.00
Total Fees	= \$825.00
Less payments	= \$325.00
Balance Due NASD Dispute Resolution	= \$500.00

3. Respondents is assessed and shall pay the following fees:

Member Fees	= \$325.00
Total Fees	= \$325.00
Less payments	= \$325.00
Balance Due NASD Dispute Resolution	= \$ 0.00

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

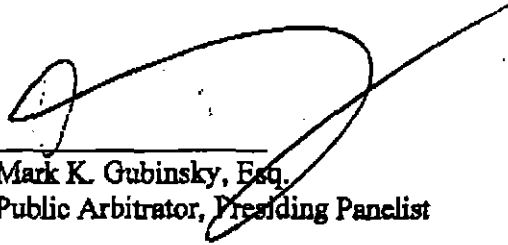
SOLE ARBITRATOR

Mark K. Gubinsky, Esq.

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Public Arbitrator, Presiding Arbitrator

Arbitrator's Signature



Mark K. Gubinsky, Esq.  
Public Arbitrator, Presiding Panelist

12-16-05  
Signature Date

December 16, 2005  
Date of Service (For NASD Dispute Resolution office use only)