

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION**

---

CASE: 05-03383

Woody Judson Bender, Jr., Aline Wiley Bender and Ann B. Miller, (Claimants) vs. Edward D. Jones & Co. and William A. McDonough, (Respondents)

---

**ATTORNEYS:**

For Claimants appeared William R. McCandless, Esq., Attorney at Law, Ridgeland, MS.

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:** June 27, 2005

---

**CASE SUMMARY:** Claimants alleged that Respondents misrepresented material facts regarding their investments. Claimants further alleged breach of fiduciary duty, negligence and breach of NASD rules. Claimants maintained that due to Respondents' actions, they suffered financial losses. Claimants' claim involved various common stock.

---

**Claim Data**

Claim: \$7,959.61  
Punitive: Unspecified  
Interest: Unspecified  
Attorney Fees: Unspecified  
Filing Fees: Unspecified  
Other: Unspecified

**Award Data**

Award: \$.00  
Punitive: \$.00  
Interest: \$.00  
Attorney Fees: \$.00  
Filing Fees: \$.00  
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 Claimants are dismissed in their entirety. 2) All requests for attorney fees are denied. 3) All requests for punitive damages are denied. 4) All requests for interest are denied. 5) All other relief requests are denied. 6) NASD Dispute Resolution shall retain the \$325.00 filing fee that the Claimants deposited previously.

---

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

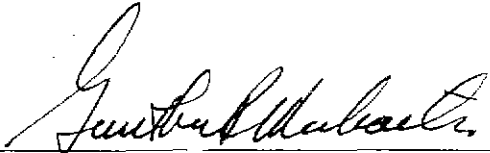
Page Two  
Award 05-03383

Gunther Richard Michaelis

Sole Public Arbitrator

AFFIRMATION

I, Gunther Richard Michaelis, 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.



Gunther Richard Michaelis

November 23, 2005  
(Signature Date)

NOVEMBER 30, 2005  
Date of Service (For NASD-DR office use only)