

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-05175

David B. Cady and Ruth J. Cady, (Claimants) vs. Huntington Investment Company, Inc.,
(Respondent)

ATTORNEYS:

For Claimants appeared Stephen P. Meyer, Esq., of the firm Meyer & Ford, Charleston, WV.

For Respondent appeared Emily A. Smith, Esq., of the firm Carlile Patchen & Murphy, LLP,
Columbus, OH.

NATURE OF DISPUTE: Customers vs. Member

DATE FILED: October 3, 2005

CASE SUMMARY: Claimants alleged that Respondent misrepresented and omitted material facts regarding their investments. Claimants further alleged negligence, breach of fiduciary duty, failure to supervise, breach of contract and fraud. Claimants maintained that due to Respondent's actions, they suffered financial losses. Claimants' claim involved variable annuities.

Claim Data

Claim: \$20,000.00
Punitive: Unspecified
Interest: Unspecified
Attorney Fees: Unspecified
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$4,000.00
Punitive: \$.00
Interest: \$.00
Attorney Fees: \$.00
Filing Fees: \$425.00
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is liable and shall pay to the Claimants \$4,000.00. 2) All requests for attorney fees are denied. 3) All requests for interest are denied. 4) All requests for punitive damages are denied. 5) All other relief requests are denied. 6) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimants deposited previously. 7) Respondent is liable and shall pay Claimants \$425.00 as reimbursement of the filing fee.

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

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Award 05-05175

James Patrick Graven, J.D.

Sole Public Arbitrator

AFFIRMATION

I, James Patrick Graven, J.D., 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.

James Patrick Graven
James Patrick Graven, J.D.

1-10-2006
(Signature Date)

January 11, 2006
Date of Service (For NASD-DR office use only)