

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 06-00753

Richard Larry Eggers and JoAnna Eggers, (Claimants) vs. Legg Mason Wood Walker, Inc. and Paul Higgins, (Respondents)

ATTORNEYS:

Claimants appeared *pro se*, Buchanan, VA,

For Respondent Legg Mason Wood Walker, Inc. appeared in-house counsel Jason W. Gaarder, Esq., Baltimore, MD.

Respondent Paul Higgins did not submit an Answer to the Statement of Claim.

NATURE OF DISPUTE: Customers v. Terminated Member and Associated Person

DATE FILED: February 13, 2006

CASE SUMMARY: Claimants alleged that Respondents negligently handled their account and breached their fiduciary duty. Claimants maintained that due to Respondents' actions, they suffered a financial loss. Claimants' claim involved annuities.

Claim Data

Claim: \$17,207.00

Interest: \$.00

Filing Fees: Unspecified

Award Data

Award: \$2,044.00

Interest: Granted at the rate of 8% per annum from 3/30/05-8/07/06.

Filing Fees: \$425.00

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 the Claimants against Paul J. Higgins are dismissed in their entirety. 2) Respondent Legg Mason Wood Walker, Inc. is solely liable and shall pay to the Claimants \$2,044.00. 2) Respondent Legg Mason Wood Walker, Inc. is solely liable and shall pay to the Claimants interest at the rate of 8% per annum from March 30, 2005 to August 7, 2006. 3) All other relief requests are denied. 4) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimants deposited previously. 5) Respondent Legg Mason Wood Walker, Inc. is solely liable and shall pay Claimants \$425.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent Legg Mason Wood Walker, Inc. has paid to NASD Dispute Resolution the \$00.00 Member Surcharge previously invoiced.

OTHER ISSUES: Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that Respondent Paul J. Higgins was served notice of the Statement of

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Claim by regular mail Overdue Notice and Notification of Arbitrator by certified mail, and is therefore bound by the arbitrator's ruling and determination.

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David Paul Clark, Esq.

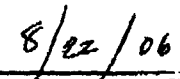
Sole Public Arbitrator

AFFIRMATION

I, David Paul Clark, 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.



David Paul Clark, Esq.



(Signature Date)

August 22, 2006
Date of Service (For NASD-DR office use only)