

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 06-01144

Barry W. Hurff, IRA, Janice Hurff, IRA, and Matthew Hurff (Claimants) vs. Edward D. Jones & Co., LLP, (Respondent)

ATTORNEYS:

For Claimants appeared Adam M. Green, Esq., of the firm Anapol, Schwartz, Weiss, Cohan, Feldman & Smalley, P.C., Philadelphia, PA.

For Respondent appeared Timothy M. Huskey, Esq., of the firm Greensfelder, Hemker & Gale, P.C., St. Louis, MO.

NATURE OF DISPUTE: Customers vs. Member

DATE FILED: March 2, 2006

CASE SUMMARY: Claimants alleged that Respondent breached a contract, negligently handled their account and breached its fiduciary duty. Claimants further alleged failure to supervise, omission of facts, suitability and misrepresentation. Claimants maintained that due to Respondent's actions, they suffered a financial loss. Claimants' claim involved mutual funds.

ARBITRATOR'S REPORT: Case is dismissed without prejudice because claims are federally preempted. Alternatively, Claimants have not sufficiently opted out of putative class actions.

Claim Data

Claim: \$24,999.99
Interest: Unspecified
Attorney Fees: Unspecified
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$.00
Interest: \$.00
Attorney Fees: \$.00
Filing Fees: \$212.50
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 the Claimants are dismissed in their entirety without prejudice. 2) All requests for attorney fees are denied. 3) All requests for interest are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimants deposited previously. 6) Respondent is liable and shall pay Claimants \$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 \$425.00 Member Surcharge previously invoiced.

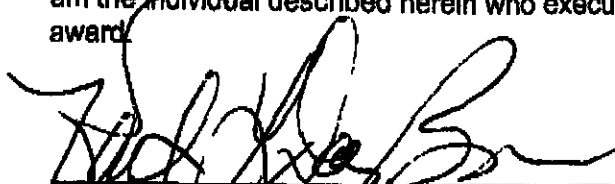
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Award 06-01144

Kathleen L. Daerr-Bannon, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Kathleen L. Daerr-Bannon, 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.


Kathleen L. Daerr-Bannon, Esq.

8/4/06
(Signature Date)

August 7, 2006

Date of Service (For NASD-DR office use only)