

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 06-03120

Ashok K. Sabhlok, (Claimant) vs. Merrill Lynch, Pierce, Fenner & Smith, Inc., Frankie Laine Ross and James Joseph Dyer, (Respondents)

ATTORNEYS:

Claimant appeared *pro se*, Berkeley, CA.

For Respondents appeared in-house counsel H. Kyeng Lee, Esq., New York, NY.

NATURE OF DISPUTE: Customer v. Member and Associated Persons

DATE FILED: June 26, 2006

CASE SUMMARY: Claimant alleged that Respondents breached their fiduciary duty by misrepresenting material facts regarding investments. Claimant further alleged breach of contract, manipulation, negligence and failure to supervise. Claimant maintained that due to Respondents' actions, he suffered a financial loss. Claimant's claim involved various securities products.

Claim Data

Claim: \$5,699.00
Interest: \$569.00
Filing Fees: \$100.00

Award Data

Award: \$4,229.00
Interest: \$261.00
Filing Fees: \$325.00

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 Claimant against Respondents Frankie Laine Ross and James Joseph Dyer are dismissed in their entirety. 2) Respondent Merrill Lynch, Pierce, Fenner & Smith, Inc. is liable and shall pay to the Claimant \$4,229.00. 3) Respondent Merrill Lynch, Pierce, Fenner & Smith, Inc. is liable and shall pay to the Claimant \$261.00 for interest calculated at 2% per annum from January 1, 2001 to December 31, 2003. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$325.00 filing fee that the Claimant deposited previously. 6) Respondent Merrill Lynch, Pierce, Fenner & Smith, Inc. is liable and shall pay to the Claimant \$325.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent, Merrill Lynch, Pierce, Fenner & Smith, Inc., has paid to NASD Dispute Resolution the \$325.00 Member Surcharge previously invoiced.

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Award 06-03120

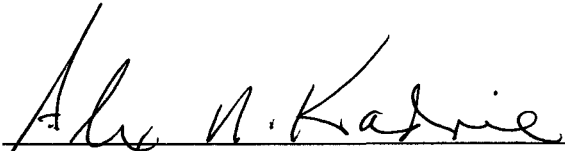
Alex N. Kadrie, MA

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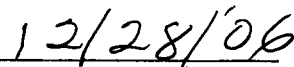
Sole Public Arbitrator

AFFIRMATION

I, Alex N. Kadrie, MA, 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.



Alex N. Kadrie, MA



(Signature Date)

January 5, 2007

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