

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

John H. and  
Gloria M. Pollack, JTWROS

Claimant(s)

vs.

Merrill Lynch, Pierce,  
Fenner & Smith, Inc.  
and David Wisehaupt

Respondent(s)

NOTICE OF ARBITRATION  
AWARD  
88-01977

CASE SUMMARY

Claimant(s) John H. and Gloria M. Pollack, JTWROS alleged that Respondent(s) Merrill Lynch, Pierce, Fenner & Smith, Inc. and David Wisehaupt mishandled Claimants' account held with Respondent. Respondent(s) deny Claimants' allegations.

RELIEF REQUESTED

Claimant(s) John H. and Gloria M. Pollack, JTWROS requested damages of Nine Thousand Nine Hundred Seventy Eight Dollars and No Cents (\$9,978.00). Respondent(s) requested dismissal of claim and costs.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, Thomas B. Corey, Esq., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant(s) on June 11, 1988 and by Respondent(s) on December 9, 1988. The Arbitrator, having considered the proofs of the parties, has determined in full and final resolution of the issue submitted for determination as follows:

The claim against Respondent shall be dismissed in its entirety.

The parties shall each bear their respective costs including attorney's fees.

The \$200.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) shall be retained by the NASD as costs of this proceeding.

August 18, 1989