

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Robert D. D'Amico,

Claimant

vs.

Michael B. Lavoie and
Merrill Lynch, Pierce, Fenner & Smith, Inc.,

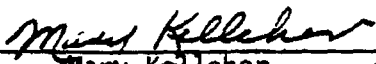
Respondents

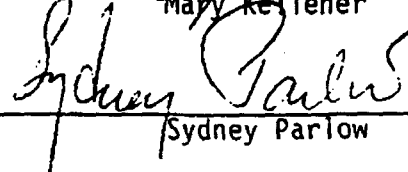
Case #88-02486

Award

On May 9, 1989, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant, Robert D. D'Amico, on July 21, 1988 and by Respondents, Michael B. Lavoie and Merrill Lynch, Pierce, Fenner & Smith, Inc., on October 6 and October 14, 1988, respectively. The arbitration panel, having considered the pleadings, the testimony, and the evidence presented at the hearing, has determined in full and final resolution of the issues submitted for determination as follows:

1. Respondents, Michael B. Lavoie and Merrill Lynch, Pierce, Fenner & Smith, Inc., are hereby jointly and severally liable and shall pay Claimant, Robert D'Amico, Eight Thousand Five Hundred Dollars and Zero Cents (\$8,500.00);
2. The parties shall each bear their respective costs, including attorneys' fees;
3. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$500.00 filing fee previously deposited by the Claimant and Claimant is further assessed \$250.00 in forum costs. Respondent, Merrill Lynch, Pierce, Fenner & Smith, Inc., is assessed \$750.00 in forum costs. All costs shall be made payable to the NASD.



Mary Kelleher


Sydney Parlow

David Shellenberger, Esq.

Dated: May 31, 1989