

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between	:	
	:	
Ronald & Millicent Asadoorian	:	AWARD
	:	
Claimants	:	#88-03510
	:	
vs.	:	
	:	
Merrill Lynch, Pierce, Fenner & Smith, Inc.	:	
Thomas H. Magid	:	
	:	
Respondents	:	

Case Summary

Claimants contend that an order placed on October 20, 1987 was not executed as requested. Claimants also argued that the executed order was unsuitable and should not have been processed. Respondents contend the order was executed as requested and that the Claimants wavered on whether they would renege on it.

Relief Requested

Claimants seek \$35,000.00 lost profit plus interest costs and attorney fees. Respondents seek dismissal plus costs.

Award

On September 19, 1989, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by Claimants on October 25, 1988 and by Respondents on March 21, 1989. 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. Claims by Claimants be and hereby are dismissed in their entirety.
2. The parties shall each bear their respective costs including attorney fees.
3. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$400.00 filing fee previously deposited by the Claimant and assess an additional \$400.00 against Respondent Merrill Lynch, Pierce, Fenner & Smith, Inc.

This day of November 14, 1989

/s/
Joseph R. Lally

/s/
Albert Mancini, Jr.

/s/
Arthur B. O'Connor