

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

James and Kay Moustakis

vs.

Claimant(s)

Merrill Lynch Pierce, Fenner
& Smith, Inc.

Respondent(s)

NOTICE OF ARBITRATION
AWARD
89-00117

CASE SUMMARY

Claimants James and Kay Moustakis alleged that Respondent Merrill Lynch Pierce, Fenner & Smith, Inc. negligently mishandled Claimants account held with Respondent. Respondent denies Claimants allegations.

RELIEF REQUESTED

Claimants James and Kay Moustakis requested damages of Five Thousand Dollars and No Cents (\$5,000.00). Respondent requested dismissal of claim and costs.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, Arnold O. Flicker, Esq., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on January 2, 1989 and by Respondents on May 30, 1989. 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 \$100.00 filing fee previously deposited with the NASD, Inc. by the Claimants shall be retained by the NASD as costs of this proceeding.

September 20, 1989