

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Thomas and May Gin

vs.

Claimant(s)

Merrill Lynch, Pierce, Fenner &  
Smith, Inc.

Respondent(s)

NOTICE OF ARBITRATION  
AWARD  
89-00407

CASE SUMMARY

Claimants Thomas and May Gin alleged that Respondent Merrill Lynch, Pierce, Fenner & Smith, Inc. failed to execute. Respondent maintain that Mr. Steven Richards, the Claimants investment advisor, was responsible and that Respondent advised Mr. Richards that no block trades would be allocated to any accounts until unsecured debits were paid off.

RELIEF REQUESTED

Claimant Thomas and May Gin requested damages of Six Thousand Five Hundred Dollars (\$6,500.00). Respondents requested dismissal of claim and costs.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, Robin David, 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 December 31, 1988 and by Respondents on April 21, 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 of the Claimants is hereby dismissed in all respects.

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 Claimants shall be retained by the NASD as costs of this proceeding.

August 15, 1989