

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

David A. Egan

Claimant(s)

vs.

Merrill Lynch, Pierce,
Fenner & Smith, Inc.
and Rick Hutchins

Respondent(s)

NOTICE OF ARBITRATION

AWARD

89-01061

CASE SUMMARY

Claimant(s) David A. Egan alleged that Respondent(s) Merrill Lynch, Pierce, Fenner & Smith, Inc. and Rick Hutchins charged Claimant fraudulent charges. Respondent(s) deny any and all allegations of wrongdoing or liability in Claimant's claim for damages.

RELIEF REQUESTED

Claimant(s) David A. Egan requested damages of Seven Hundred Sixty Three Dollars and No Cents (\$763.00). 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, Andrew Reegen, 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 April 3, 1989 and by Respondent(s) on May 18, 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:

That the Respondent Merrill Lynch, Pierce, Fenner & Smith, Inc. is liable and will pay to the Claimant the sum of Three Hundred Eighty Two Dollars and No Cents (\$382.00),

And, that the claim against Rick Hutchins is dismissed.

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

The \$15.00 filing fee previously deposited with the NASD, Inc. by the Claimant(s) will be retained by the NASD as costs of this proceeding.

August 21, 1989