

**NATIONAL ASSOCIATION OF SECURITIES DEALERS**

**In the Matter of the Arbitration Between**

**Frank J. Roberts III  
tthe Bette A. Roberts**

**Claimant(s)**

**vs.**

**Merrill Lynch, Pierce,  
Fenner & Smith, Inc.**

**Respondent(s)**

**NOTICE OF  
ARBITRATION  
AWARD  
90-00268**

**CASE SUMMARY**

Claimant(s) Frank J. Roberts III tthe Bette A. Roberts alleged that Respondent(s) Merrill Lynch, Pierce, Fenner & Smith, Inc. sold through misrepresentation an investment which was unsuitable for the Claimant. Respondent denies Claimant's allegations.

**RELIEF REQUESTED**

Claimant(s) Frank J. Roberts III tthe Bette A. Roberts requested damages of Six Thousand Seven Hundred Dollars and No Cents (\$6,700.00). 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, David I. Bursten, 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 January 19, 1990 and by Respondent(s) on April 20, 1990, respectively;

And, that the Arbitrator, having considered the proofs of the Parties, including any additional documentary submissions of the Claimant(s) and the Respondent(s) has decided and determined in full and final resolution of the issue submitted for determination as follows:

That the claim of the Claimant 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 Claimant(s) shall be retained by the NASD as costs of this proceeding.

August 14, 1990