

**N.A.S.D. REGULATION, INC. AWARD**

**NASD Regulation, Inc. Office of Dispute Resolution**

**In the Matter of the Arbitration Between**

**Name of Claimants**

**Edward C. and Lucille Jana**

**92-02173**

**Name of Respondents**

**Merrill Lynch, Pierce, Fenner & Smith, Inc.;  
Paul Waigand**

**AWARD**

**REPRESENTATION OF PARTIES**

**For Claimants: Norman Rifkind, Esq. of Lasky & Rifkind, Chicago, Illinois**

**For Respondents: Peter A. Cantwell, Esq. and Stephen F. Boulton, Esq. of  
Cantwell & Cantwell of Chicago, Illinois**

**CASE INFORMATION**

**Statement of Claim filed: June 26, 1995.**

**Amended Statement of Claim Filed: April 17, 1995**

**Joint Answer of Respondents Merrill Lynch, Pierce, Fenner & Smith, Inc. and Paul Waigand  
filed on: June 26, 1995**

**HEARING INFORMATION**

**No Hearings Held**

### CASE SUMMARY

Claimants Edward and Lucille Jana allege various causes of action against Respondents Merrill Lynch, Pierce, Fenner & Smith, Inc. and Paul E. Waigand. The parties have stipulated to the entry of this award in a writing submitted to the NASD.

### AWARD

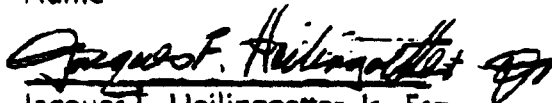
1. All claims submitted by Edward and Lucille Jana are hereby dismissed with prejudice.
2. This panel hereby directs expungement of all allegations made in Arbitration No. 92-02173, any reference to Arbitration No. 92-02173 or NASD Mediation Case No. 92-02173, and any allegation made against Respondent Paul E. Waigand in said proceedings from any and all records relating to Waigand maintained by the NASD and related agencies, including but not limited to records maintained as a part of the Central Registration Depository.

### OTHER COSTS

Each party shall bear their own costs of this arbitration, including attorneys' fees, except as set forth more fully below. All forum, filing and other fees or costs assessed by the NASD to date shall stand as assessed. Any remaining fees and costs not yet assessed by the NASD shall be assessed equally between the parties.

### Concurring Arbitrators

Name



Jacques F. Heilingoetter, Jr., Esq.  
Presiding Chair/Public Arbitrator

March 30, 1998

/s/ Marc B. Horin

Marc B. Horin, Esq.  
Industry Arbitrator

March 30, 1998

Colleen Grace, Esq.  
Public Arbitrator

April 8, 1998

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Paul E. Waigand. The parties have stipulated to the entry of this award in a writing submitted to the NASD.

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CONCURRING ARBITRATORS

Dated:

3/30/98

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Jacques F. Heilingoetter, Esq.  
Presiding Chair  
Public Arbitrator

Marc B. Horin  
Marc B. Horin, Esq.  
Industry Arbitrator

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Colleen Grace, Esq.  
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