

N.A.S.D. REGULATION AWARD
NATIONAL ASSOCIATION OF SECURITIES DEALERS REGULATION, INC.

CASE: 99-01674

Rickerd Family Trust, claimant vs. Merrill Lynch, Pierce, Fenner & Smith, Inc., and James Beatty, respondents.

ATTORNEYS:

Claimant Rickerd Family Trust through its trustee, appeared Pro Se, Randle, WA.

For Respondents Merrill Lynch, Pierce, Fenner & Smith, Inc., and James Beatty, appeared in-house counsel Michael E. Chasen, Esq., New York, NY.

DATE FILED: April 9, 1999

CASE SUMMARY: Claimant alleged that Respondent James Beatty of Merrill Lynch, Pierce, Fenner & Smith, Inc., advised him to sell his initial position in Spieker Properties stock for an insignificant gain, but resulting in loss of dividends. Claimant further alleged that Respondent James Beatty, gave him bad advice regarding the sale of Capstead Mortgage Corporation.

Claim Data

Claim: \$13,253.00
Interest: 8%
Attorneys Fees: \$.00
Costs: \$.00

Award Data

Award: \$.00
Interest: \$.00
Attorneys Fees: \$.00
Costs: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The claims of claimant are dismissed in their entirety. 2) All other relief requests are denied. 3) The \$425.00 filing fee previously deposited with the National Association of Securities Dealers Regulation, Inc. by the claimant, shall be retained by NASD Regulation, Inc.

OTHER FEES: Pursuant to Rule 10333 of the Code, respondent Merrill Lynch, Pierce, Fenner & Smith, Inc., has paid to NASD Regulation, Inc. the \$400.00 Member Surcharge previously invoiced.

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Award 99-01674

AFFIRMATION

I, William L. Hawes, do hereby affirm, upon my oath as arbitrator that I am the individual described herein who executed this instrument, which is my oath and award.



William L. Hawes

February 15, 2000

Date of award