

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 99-03175

David R. Fairchild for Christian Caring Center Church of Holy Light, Claimant vs. Quick & Reilly, Inc. and U.S. Clearing a division of Fleet Securities, Inc. Respondents.

ATTORNEYS:

Claimant, Christian Caring Center Church of Holy Light ("Claimant"), appeared through David R. Fairchild, Ontario, Canada.

Respondents, Quick & Reilly, Inc. and U.S. Clearing Division of Fleet Securities, Inc. ("Respondent"), appeared through their General Counsel, Charles Siegel, Esq., New York, NY.

DATE FILED: July 12, 2000

CASE SUMMARY: Claimant alleged that Respondent, Quick and Reilly lost its account records and later changed the name on the account without prior authorization. Claimant further alleged that Respondents issued checks with an incorrect name and caused delay in the transfer of its County of Santa Clara bonds.

ARBITRATOR'S REPORT: To prevail, Claimant has to take on the burden of providing sufficient evidence to outweigh the evidence presented by Respondents. The New York Stock Exchange Arbitrator's holding dated 6/24/98 specifically held that his decision was a "full and final settlement of all claims between the parties". His decision further stated that "each and every claim of Claimant against Respondent is denied". These terms are broad enough to encompass Claimant's more recent allegations of damages suffered after 6/24/98. The arbitrator's decision of 6/24/98 precludes any damages against these Respondents because of a delay in transferring Claimant's Funds to Claimant. The delay was a by-product of the original claim denied in the 6/24/98 decision. Accordingly, Claimant's claim is dismissed in its entirety.

Claim Data

Claim: \$10,000.00
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$.00
Filing Fees: \$325.00
Other: \$.00

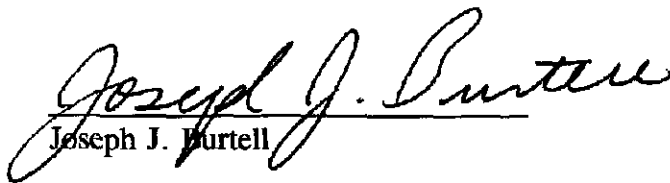
AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The claims of Claimant are dismissed in their entirety. 2) All other relief requests are denied. 3) The \$325.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the Claimant, shall be retained by NASD Dispute Resolution, Inc. 4) Respondents shall pay to Claimant \$325.00 as reimbursement of the filing fee.

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OTHER FEES: Pursuant to Rule 10333 of the Code, Respondents, Quick & Reilly, Inc. and U.S. Clearing Division of Fleet Securities have not paid to NASD Dispute Resolution, Inc. the \$300.00 Member Surcharge previously invoiced to each.

AFFIRMATION

I, Joseph J. Burtell, 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.


Joseph J. Burtell

November 16, 2000
Date of award