

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE:99-04778

Mylon Vann and Linda Vann, Claimants vs. Merit Capital Associates, Inc. and Richard Alan Warner, Respondents.

ATTORNEYS:

Claimants appeared Pro Se, Boca Raton, FL.

For Respondents, appeared in-house counsel, Robert Fitzpatrick, Esq., Westport, CT.

DATE FILED: October 22, 1999

CASE SUMMARY: Claimants alleged that Respondent, Richard A. Warner, fraudulently misrepresented and omitted material facts regarding the solvency of the companies recommended to Claimants. Claimants further alleged that Respondent, Richard A. Warner, was negligent when he failed to disclose to Claimants the potential risk of investing in these companies. Claimants maintained that Respondent, Richard A. Warner, failed to assess Claimants' investment objectives. As a result of Mr. Warner's actions, Claimants suffered financial loss in which they are seeking compensation.

Claim Data

Claim: \$10,000.00

Award Data

Award: \$2,751.50

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents are jointly and severally liable and shall pay to the claimants \$2,751.50. 2) All other relief requests are denied. 3) The \$325.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the claimants, shall be retained by NASD Dispute Resolution, Inc.

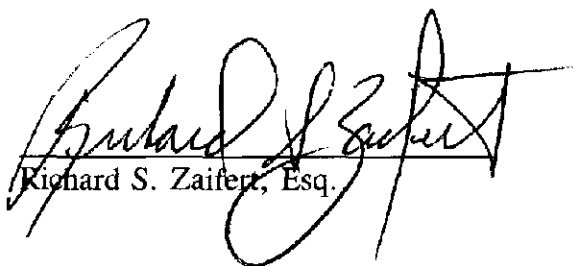
OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent, Merit Capital Associates, Inc., has paid to NASD Dispute Resolution, Inc. the \$300.00 Member Surcharge previously invoiced.

OTHER ISSUES: The Arbitrator denied Respondents' Motion to Dismiss.

Page Two
Award 99-04778

AFFIRMATION

I, Richard S. Zaifert, 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.



Richard S. Zaifert, Esq.

March 6, 2001
Date of award