

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 99-05202

Merrill Lynch, Pierce, Fenner and Smith, Inc., claimant vs. Russell L. Keeton, respondent.

ATTORNEYS:

For Claimant appeared Suzanne S. Killian, Esq. of the firm Ogden, Gibson, White & Brooks, LLP, Houston, TX.

Respondent did not respond to the Statement of Claim.

DATE FILED: November 15, 1999

CASE SUMMARY: Claimant alleged that respondent failed to repay the outstanding debit balance on his account resulting from failure to satisfy a margin call.

Claim Data

Claim: \$8,980.01
Atty Fees: unspecified
Interest: @18% per annum

Filing Fees: unspecified

Award Data

Award: \$8,980.01
Atty Fees: \$2,000.00
Interest: @10% from
8/20/99 - date of payment
Filing Fees: \$500.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is liable and shall pay to the claimant \$8,980.01. 2) Respondent is liable and shall pay to the claimant \$2,000.00 in attorney fees according to claimant's request. 3) Respondent is liable and shall pay to the claimant interest at 10% from August 20, 1999 to date of payment. 4) All other relief requests are denied. 5) The \$750.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the claimant, shall be retained by NASD Dispute Resolution, Inc. 6) Respondent is liable and shall pay claimant \$500.00 as reimbursement of the filing fee.

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

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OTHER ISSUES: Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that respondent, Russell L. Keaton, was served notice of the Statement of Claim by regular mail and the Overdue Notice by certified mail as evidenced by the signed signature card on file and is therefore bound by the arbitrator's ruling and determination.

AFFIRMATION

I, Geoffrey E. Goring, 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.

Geoffrey E. Goring
Geoffrey E. Goring

October 31, 2000
Date of Award