

Arbitration Decision Number: 2003-014683

New York Stock Exchange

In the matter of Arbitration Between:

Porfirio Garcia and Stella Garcia vs. Merrill Lynch, Pierce, Fenner & Smith, Inc. and Verle L. M

Attorneys:

For Claimant(s):

Charles S. Wuest - Kingwood, TX

For Respondent(s):

Angela A. Turiano - NEW YORK, NY

Date Filed: 10/21/2003

First Scheduled: 11/09/2004

Decided: 11/1

Case Summary: Customers vs. Member Firm and Registered Rep alleging breach of fiduciary c law violations, negligence, failure to supervise, breach of contract, violations of SRO Rules, unsta transactions and overconcentration. Claimants seek damages, interest, costs, attorney's fees and p

Product: Equity Mutual Fund

Market:

Claim Data

	Claim
Claim:	\$100,000.00
Punitive:	UNSPECIFIED
Atty Fees:	UNSPECIFIED
Deposit:	\$750.00

Award Data

	Award
Award:	\$37,093.73
Punitive:	\$0.00
Atty Fees:	\$0.00
Costs:	\$0.00

Forum Fees: \$3,000.00

Case: Porfirio Garcia and Stella Garcia vs. Merrill Lynch, Pierce, Fenner & Smith, Inc. and V
Docket: 2003-014683

Decision: The undersigned arbitrator(s) have decided and determined that in full and final settle between the parties that:

The respondent will pay the claimants \$37,093.73. Both parties will pay their own costs includin Each party will encounter their own attorney's fees.

Remarks:

The undersigned arbitrators hereby affirm that they have executed this instrument which i

Arbitrators: (D=Dissents)

Franklin Geerdes
Richard W. Towt
Shirley Odell

Signatures:

City: San Diego

State: CA

Date: 11/10/2004

Docket#: 2003-0146

Sessions: 4

Hearing Dates:

11/09/2004(2)

11/10/2004(2)