



New York Stock Exchange
In the Matter of Arbitration Between

Case: Billy G. Monks and Shirley M. Monks v. Merrill Lynch Pierce Fenner & Smith, Inc.
and: Russell Peterson

Arbitrators:

For Claimant(s):

A. Daniel Woska - Oklahoma City, OK

For Respondent(s):

D. Richard Funk - Tulsa, OK

Date Filed: 7/23/2001

First Scheduled: 9/3/2003

Decided: 10/9/03

Case Summary:

The Statement of claim alleges that the firm and its registered representative recommended concentrated positions in a few stocks and did not advise the claimants of the risks of margin trading. The Statement of claim alleges a failure to supervise, breach of fiduciary duty and suitability violations.

Product: Equity

Market: NASD

Claim Data:

Claim: \$300,000.00
Punitive: \$
Atty Fees: \$126,478.94
Deposit: \$750.00

Award Data:

Award: \$168,699.48
Punitive: \$
Atty Fees: \$30,000.00
Costs: \$
Forum Fees: 4,500.00

Decision: The undersigned arbitrator(s) have decided and determined that in full and final settlement of all claims between the parties that:

1. Merrill Lynch Pierce Fenner & Smith and Russell Peterson ("Respondents") jointly and severally shall pay to claimants \$127,305.48

2. In addition, Respondents jointly and severally shall pay to claimants interest of \$4,394.00;

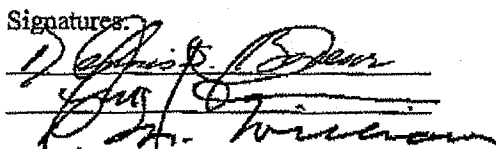
3. In addition, Respondents jointly and severally shall pay to claimants attorneys' fees of \$31,000.00;

4. NYSE forum fees are assessed against Merrill Lynch & Co. Inc.

Remarks:

The undersigned arbitrators hereby affirm that they have executed this instrument which is the award:

Arbitrators: (D = Dissents)
Dennis Boxeur
Gerald Linehan
P. Williams

Signatures:


City, State: Oklahoma City, OK

Date: 10/9/03
Docket Number: 2001-009294

Sessions: 6

Hearing Dates:

9/3/03, (2)

9/4/03, (2)

9/5/03, (2)