

**New York Stock Exchange
In the Matter of Arbitration Between**

NYSE

Case: Robert & Karen Weingarten v Merrill Lynch

Attorneys:

For Claimant(s):

Seth Lipner Esq. - Garden City, NY

For Respondent(s):

Roger J. Hawke Esq. - New York, NY

Date Filed: 07/30/2001

First Scheduled: 02/25/2002

Decided: 02/28/2002

Case Summary: Claimants, customers, have alleged that respondents gave negligent investment advise regarding option strategies, concentrated positions and tax consequences. Claimant also alleges breach of contract in that SRO Rules were violated and negligent supervision.

Product:

Market:

Claim Data

Claim: \$10,000,000.00

Punitive: \$20,000,000.00

Atty Fees: Uns

Deposit: \$1,500.00

Award Data

Award: \$3,000,000.00

Punitive: \$0.00

Atty Fees: \$0.00

Costs: \$0.00

Forum Fees: \$11,400.00

Decision: The undersigned arbitrators have decided and determined in full and final settlement of all claims between the parties that: Respondent shall pay to claimant the amount of \$3,001,500, representing \$3,000,000 as an award on the claim and \$1,500 as a return of the hearing deposit. The forum fees in the amount of \$11,400, which includes three administrative hearings, are assessed against the respondent, Merrill Lynch.

Remarks:

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

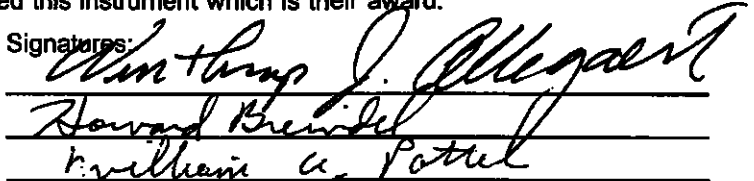
Arbitrators: (D = Dissents)

Winthrop J. Allegaert

Howard Breindel

William A. Potter

Signatures:



City: New York

State: NY

Date: 02/28/2002

Docket #: 2001-009364

Sessions: 7 Hearing Dates:

02/25/2002 (2)

02/26/2002 (2)

02/27/2002 (2)

02/28/2002 (1)