

## **BrokerCheck Report**

## **LEE JAY DUNAYER**

CRD# 1538383

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When communicating online or investing with any professional, make sure you know who you're dealing with. <u>Imposters</u> might link to sites like BrokerCheck from <u>phishing</u> or similar scam websites, or through <u>social media</u>, trying to steal your personal information or your money.

Please contact FINRA with any concerns.

### About BrokerCheck®



BrokerCheck offers information on all current, and many former, registered securities brokers, and all current and former registered securities firms. FINRA strongly encourages investors to use BrokerCheck to check the background of securities brokers and brokerage firms before deciding to conduct, or continue to conduct, business with them.

### What is included in a BrokerCheck report?

- BrokerCheck reports for individual brokers include information such as employment history, professional
  qualifications, disciplinary actions, criminal convictions, civil judgments and arbitration awards. BrokerCheck
  reports for brokerage firms include information on a firm's profile, history, and operations, as well as many of the
  same disclosure events mentioned above.
- Please note that the information contained in a BrokerCheck report may include pending actions or allegations that may be contested, unresolved or unproven. In the end, these actions or allegations may be resolved in favor of the broker or brokerage firm, or concluded through a negotiated settlement with no admission or finding of wrongdoing.
- Where did this information come from?
- The information contained in BrokerCheck comes from FINRA's Central Registration Depository, or CRD® and is a combination of:
  - o information FINRA and/or the Securities and Exchange Commission (SEC) require brokers and brokerage firms to submit as part of the registration and licensing process, and
  - o information that regulators report regarding disciplinary actions or allegations against firms or brokers.
- How current is this information?
- Generally, active brokerage firms and brokers are required to update their professional and disciplinary information in CRD within 30 days. Under most circumstances, information reported by brokerage firms, brokers and regulators is available in BrokerCheck the next business day.
- What if I want to check the background of an investment adviser firm or investment adviser representative?
- To check the background of an investment adviser firm or representative, you can search for the firm or individual in BrokerCheck. If your search is successful, click on the link provided to view the available licensing and registration information in the SEC's Investment Adviser Public Disclosure (IAPD) website at https://www.adviserinfo.sec.gov. In the alternative, you may search the IAPD website directly or contact your state securities regulator at http://www.finra.org/Investors/ToolsCalculators/BrokerCheck/P455414.
- Are there other resources I can use to check the background of investment professionals?
- FINRA recommends that you learn as much as possible about an investment professional before deciding
  to work with them. Your state securities regulator can help you research brokers and investment adviser
  representatives doing business in your state.

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Using this site/information means that you accept the FINRA BrokerCheck Terms and Conditions. A complete list of Terms and Conditions can be found at brokercheck.finra.org



For additional information about the contents of this report, please refer to the User Guidance or www.finra.org/brokercheck. It provides a glossary of terms and a list of frequently asked questions, as well as additional resources. For more information about FINRA, visit www.finra.org.

www.finra.org/brokercheck
User Guidance

## LEE J. DUNAYER

CRD# 1538383

# Currently employed by and registered with the following Firm(s):

MORGAN STANLEY

Palm Desert, CA CRD# 149777 Registered with this firm since: 09/30/2009

B MORGAN STANLEY

Palm Desert, CA CRD# 149777

Registered with this firm since: 10/06/2009

## **Report Summary for this Broker**



This report summary provides an overview of the broker's professional background and conduct. Additional information can be found in the detailed report.

### **Broker Qualifications**

### This broker is registered with:

- 4 Self-Regulatory Organizations
- 25 U.S. states and territories

### This broker has passed:

- 0 Principal/Supervisory Exams
- 3 General Industry/Product Exams
- 1 State Securities Law Exam

## **Registration History**

This broker was previously registered with the following securities firm(s):

(A) UBS FINANCIAL SERVICES INC.

CRD# 8174 WEEHAWKEN, NJ 06/2004 - 10/2009

B UBS FINANCIAL SERVICES INC.

CRD# 8174 BEVERLY HILLS, CA 06/2004 - 10/2009

MERRILL LYNCH PIERCE FENNER & SMITH INC.

CRD# 7691 NEW YORK, NY 02/1998 - 06/2004

### **Disclosure Events**

All individuals registered to sell securities or provide investment advice are required to disclose customer complaints and arbitrations, regulatory actions, employment terminations, bankruptcy filings, and criminal or civil judicial proceedings.

Are there events disclosed about this broker? Yes

The following types of disclosures have been reported:

| Туре             | Count |  |
|------------------|-------|--|
| Customer Dispute | 5     |  |

## **Broker Qualifications**



**Date** 

## Registrations

This section provides the self-regulatory organizations (SROs) and U.S. states/territories the broker is currently registered and licensed with, the category of each license, and the date on which it became effective. This section also provides, for every brokerage firm with which the broker is currently employed, the address of each branch where the broker works.

**Status** 

This individual is currently registered with 4 SROs and is licensed in 25 U.S. states and territories through his or her employer.

## Employment 1 of 1

SRO

Firm Name: MORGAN STANLEY

Main Office Address: 2000 WESTCHESTER AVENUE

**PURCHASE, NY 10577-2530** 

Category

Firm CRD#: **149777** 

|    | SINO                    | Category                          | Status            | Date                     |
|----|-------------------------|-----------------------------------|-------------------|--------------------------|
| B  | FINRA                   | Direct Participation Programs     | Approved          | 10/06/2009               |
| B  | FINRA                   | General Securities Representative | Approved          | 10/06/2009               |
| B  | NYSE American LLC       | General Securities Representative | Approved          | 06/17/2011               |
| B  | Nasdaq Stock Market     | General Securities Representative | Approved          | 10/06/2009               |
| B  | New York Stock Exchange | General Securities Representative | Approved          | 10/06/2009               |
|    | U.S. State/ Territory   | Category                          | Status            | Date                     |
| B  | Arizona                 | Agent                             | Approved          | 10/06/2009               |
| IA | California              | Investment Adviser Representative | Approved          | 10/01/2009               |
| В  | California              | Agent                             | Approved          | 10/06/2009               |
| B  | Colorado                | Agent                             | Approved          | 02/20/2024               |
| B  | Connecticut             | Agent                             | Approved          | 03/05/2020               |
|    |                         |                                   |                   |                          |
| В  | Delaware                | Agent                             | Approved          | 01/27/2021               |
| B  | Delaware<br>Florida     | Agent                             | Approved Approved | 01/27/2021<br>10/06/2009 |
|    |                         |                                   |                   |                          |

## **Broker Qualifications**



# **Employment 1 of 1, continued**

|    | U.S. State/ Territory | Category                          | Status              | Date       |
|----|-----------------------|-----------------------------------|---------------------|------------|
| B  | Idaho                 | Agent                             | Approved            | 01/22/2016 |
| B  | Illinois              | Agent                             | Approved            | 01/19/2012 |
| B  | Maryland              | Agent                             | Approved            | 10/27/2009 |
| B  | Michigan              | Agent                             | Approved            | 07/26/2022 |
| B  | Montana               | Agent                             | Approved            | 01/21/2021 |
| B  | Nevada                | Agent                             | Approved            | 10/28/2009 |
| B  | New Jersey            | Agent                             | Approved            | 06/07/2010 |
| B  | New York              | Agent                             | Approved            | 10/06/2009 |
| B  | North Carolina        | Agent                             | Approved            | 10/19/2020 |
| IA | North Carolina        | Investment Adviser Representative | Approved            | 01/08/2021 |
| B  | Ohio                  | Agent                             | Approved            | 02/03/2014 |
| B  | Oklahoma              | Agent                             | Approved            | 06/15/2021 |
| B  | Oregon                | Agent                             | Approved            | 10/19/2018 |
| B  | South Carolina        | Agent                             | Approved            | 02/14/2024 |
| B  | Texas                 | Agent                             | Approved            | 10/06/2009 |
| IA | Texas                 | Investment Adviser Representative | Restricted Approval | 09/30/2009 |
| B  | Virgin Islands        | Agent                             | Approved            | 10/06/2009 |
| B  | Virginia              | Agent                             | Approved            | 10/07/2009 |
| B  | Washington            | Agent                             | Approved            | 10/07/2009 |
| B  | Wyoming               | Agent                             | Approved            | 07/28/2022 |
|    |                       |                                   |                     |            |

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## **Broker Qualifications**



**Employment 1 of 1, continued Branch Office Locations** 

MORGAN STANLEY Palm Desert, CA

MORGAN STANLEY Moorseville, NC

## **Broker Qualifications**



## **Industry Exams this Broker has Passed**

This section includes all securities industry exams that the broker has passed. Under limited circumstances, a broker may attain a registration after receiving an exam waiver based on exams the broker has passed and/or qualifying work experience. Any exam waivers that the broker has received are not included below. A passed exam or exam waiver does not permit a broker to do business without an active SRO or state registration.

This individual has passed 0 principal/supervisory exams, 3 general industry/product exams, and 1 state securities law exam.

## **Principal/Supervisory Exams**

| Exam                     | Category | Date |
|--------------------------|----------|------|
| No information reported. |          |      |

## **General Industry/Product Exams**

| Exam |  | Category  | Date       |
|------|--|-----------|------------|
| В    | Securities Industry Essentials Examination               | SIE       | 10/01/2018 |
| В    | General Securities Representative Examination            | Series 7  | 06/18/1988 |
| B    | Direct Participation Programs Representative Examination | Series 22 | 08/12/1986 |

## **State Securities Law Exams**

| Exam |  | Category  | Date       |
|------|--|-----------|------------|
| В    | Uniform Securities Agent State Law Examination | Series 63 | 07/20/1988 |

Additional information about the above exams or other exams FINRA administers to brokers and other securities professionals can be found at www.finra.org/brokerqualifications/registeredrep/.

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User Guidance

## **Broker Qualifications**

# FINCA

# **Professional Designations**

This section details that the representative has reported **0** professional designation(s).

No information reported.

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## **Registration and Employment History**



## **Registration History**

The broker previously was registered with the following firms:

| Reg | istration Dates   | Firm Name  | CRD#  | Branch Location   |
|-----|-------------------|--|-------|-------------------|
| B   | 06/2004 - 10/2009 | UBS FINANCIAL SERVICES INC.                        | 8174  | BEVERLY HILLS, CA |
| IA  | 06/2004 - 10/2009 | UBS FINANCIAL SERVICES INC.                        | 8174  | BEVERLY HILLS, CA |
| IA  | 02/1998 - 06/2004 | MERRILL LYNCH PIERCE FENNER & SMITH INC.           | 7691  | BEVERLY HILLS, CA |
| B   | 01/1998 - 06/2004 | MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED | 7691  | NEW YORK, NY      |
| B   | 07/1993 - 01/1998 | SMITH BARNEY INC.                                  | 7059  | NEW YORK, NY      |
| В   | 02/1990 - 07/1993 | LEHMAN BROTHERS INC.                               | 7506  | NEW YORK, NY      |
| B   | 08/1986 - 09/1989 | PHILLIPS SECURITIES CORP.                          | 10149 |                   |
| B   | 06/1988 - 04/1989 | HAMILTON, WILLIAMS & CO., INC.                     | 17612 | PORTLAND, OR      |

## **Employment History**

This section provides up to 10 years of an individual broker's employment history as reported by the individual broker on the most recently filed Form U4.

Please note that the broker is required to provide this information only while registered with FINRA or a national securities exchange and the information is not updated via Form U4 after the broker ceases to be registered. Therefore, an employment end date of "Present" may not reflect the broker's current employment status.

| <b>Employment</b> | Employer Name  | Position          | Investment Related | <b>Employer Location</b>       |
|-------------------|--|-------------------|--------------------|--------------------------------|
| 01/2015 - Present | MORGAN STANLEY PRIVATE BANK,<br>NATIONAL ASSOCIATION | FINANCIAL ADVISOR | Υ                  | NEW YORK, NY, United States    |
| 09/2009 - Present | MORGAN STANLEY SMITH BARNEY                          | FINANCIAL ADVISOR | Υ                  | LOS ANGELES, CA, United States |

### **Other Business Activities**

This section includes information, if any, as provided by the broker regarding other business activities the broker is currently engaged in either as a proprietor, partner, officer, director, employee, trustee, agent or otherwise. This section does not include non-investment related activity that is exclusively charitable, civic, religious or fraternal and is recognized as tax exempt.

\*242137 - Rental Properties; Investment Related - Yes; Mooresville, North Carolina; Real Estate; Other, TTEE (Proprietor, Partner, Officer,

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## **Registration and Employment History**



### Other Business Activities, continued

Director, Employee, Trustee, Agent); 09/2009; During Business Hours: 0; After Business Hours: 2; Administrative.

\*622003 - loan to brother-in-law; Investment related: Yes; Nampa, Idaho; Other; lender for inter-family loan(proprietor, partner, officer, director, employee, trustee, agent); 1/2025; During business hours: 0; After business hours: 0; Administrative

\*490357 - Trust; Investment related - Yes; Mooresville, North Carolina; 04/2022; During business hours: 1; After business hours: 0

\*547293 - Sawmill Branch Partners LLC; Investment related Yes; Mooresville, North Carolina; Real Estate; Investor, Partner (proprietor, partner, officer, director, employee, trustee, agent); 04/2023; During business hours: 0; After business hours: 5; Accounting/Bookkeeping.

\*566 - KW Partners LLC; Investment related - Yes; Mooresville, North Carolina; Real Estate:Rental Property; Sole Proprietor/Owner(proprietor, partner, officer, director, employee, trustee, agent); 6/2023; During business hours: 0; After business hours: 0.5; Accounting/Bookkeeping

\*642 - FoxVentures, LLC; Investment related: Yes; Moorseville, North Carolina; Rental Property; Sole Proprietor/Owner, Partner (proprietor, partner, officer, director, employee, trustee, agent); 09/2021; During business hours: 0; After business hours: 1; Property Management

\*603645 - MidnightLegacyVentures, LLC; Investment Related - Yes; Mooresville, North Carolina; Rental Property; Partner, Sole Proprietor/Owner (Proprietor, Partner, Officer, Director, Employee, Trustee, Agent); 07/2021; During Business Hours: 0; After Business Hours: 1; Property Management.

\*606105 - Litvinoff loan; Investment Related - Yes; Moorseville, North Carolina; Other; Sole Proprietor/Owner (Proprietor, Partner, Officer, Director, Employee, Trustee, Agent); 07/2024; During Business Hours: 0; After Business Hours: 0.1; Accounting/Bookkeeping.

### **Disclosure Events**



### What you should know about reported disclosure events:

1. All individuals registered to sell securities or provide investment advice are required to disclose customer complaints and arbitrations, regulatory actions, employment terminations, bankruptcy filings, and criminal or civil judicial proceedings.

### 2. Certain thresholds must be met before an event is reported to CRD, for example:

- o A law enforcement agency must file formal charges before a broker is required to disclose a particular criminal event.
- A customer dispute must involve allegations that a broker engaged in activity that violates certain rules or conduct governing the industry and that the activity resulted in damages of at least \$5,000.

-

### 3. Disclosure events in BrokerCheck reports come from different sources:

 As mentioned at the beginning of this report, information contained in BrokerCheck comes from brokers, brokerage firms and regulators. When more than one of these sources reports information for the same disclosure event, all versions of the event will appear in the BrokerCheck report. The different versions will be separated by a solid line with the reporting source labeled.

0

### 4. There are different statuses and dispositions for disclosure events:

- o A disclosure event may have a status of pending, on appeal, or final.
  - A "pending" event involves allegations that have not been proven or formally adjudicated.
  - An event that is "on appeal" involves allegations that have been adjudicated but are currently being appealed.
  - A "final" event has been concluded and its resolution is not subject to change.
- o A final event generally has a disposition of adjudicated, settled or otherwise resolved.
  - An "adjudicated" matter includes a disposition by (1) a court of law in a criminal or civil matter, or (2) an administrative panel in an action brought by a regulator that is contested by the party charged with some alleged wrongdoing.
  - A "settled" matter generally involves an agreement by the parties to resolve the matter. Please note that brokers and brokerage firms may choose to settle customer disputes or regulatory matters for business or other reasons.
  - A "resolved" matter usually involves no payment to the customer and no finding of wrongdoing on the part of the individual broker. Such matters generally involve customer disputes.

For your convenience, below is a matrix of the number and status of disclosure events involving this broker. Further information regarding these events can be found in the subsequent pages of this report. You also may wish to contact the broker to obtain further information regarding these events.

|                  | Pending | Final | On Appeal |
|------------------|---------|-------|-----------|
| Customer Dispute | 0       | 5     | N/A       |



### **Disclosure Event Details**

When evaluating this information, please keep in mind that a discloure event may be pending or involve allegations that are contested and have not been resolved or proven. The matter may, in the end, be withdrawn, dismissed, resolved in favor of the broker, or concluded through a negotiated settlement for certain business reasons (e.g., to maintain customer relationships or to limit the litigation costs associated with disputing the allegations) with no admission or finding of wrongdoing.

This report provides the information exactly as it was reported to CRD and therefore some of the specific data fields contained in the report may be blank if the information was not provided to CRD.

### **Customer Dispute - Settled**

This type of disclosure event involves a consumer-initiated, investment-related complaint, arbitration proceeding or civil suit containing allegations of sale practice violations against the broker that resulted in a monetary settlement to the customer.

Disclosure 1 of 4

Reporting Source: Broker

Employing firm when

activities occurred which led

to the complaint:

Allegations:

CLIENT COMPLAINS ABOUT THE INVESTMENTS RECOMMENDED FOR HER

MANAGED ACCOUNTS AND ALLEGES THEY WERE UNSUITABLE. 2010-2015

DAMAGES UNSPECIFIED

MORGAN STANLEY

Product Type: Other: 17-Managed/Wrap Accounts (In-House Money Manager)

Alleged Damages: \$0.00

Is this an oral complaint? No

Is this a written complaint? Yes

Is this an arbitration/CFTC reparation or civil litigation?

No

## **Customer Complaint Information**

**Date Complaint Received:** 02/10/2016

Complaint Pending? No

Status: Settled

**Status Date:** 04/08/2016

Settlement Amount: \$9,000.00

Individual Contribution \$0.00



#### Amount:

Disclosure 2 of 4

Reporting Source: Firm

Employing firm when activities occurred which led

to the complaint:

UBS FINANCIAL SERVICES INC. /43115415-2010-123

Allegations: TIME FRAME:MAY 2008 - NOVEMBER 2008. CLAIMANTS ALLEGE THAT UBS

AND THEIR BROKER DID NOT ADEQUATELY ADVISE THEM THAT THE UBS

YIELD OPTIMIZATION NOTES THAT WERE RECOMMENDED TO THE

CLAIMANTS AND IN WHICH THEY INVESTED COULD LOSE A SUBSTANTIAL PORTION OF THEIR INVESTED VALUE, AND FURTHER ALLEGE THAT THE

NOTES WERE UNSUITABLE FOR THE CLAIMANTS' INVESTMENT

OBJECTIVES.

Product Type: Other: STRUCTURED PRODUCTS (YIELD OPTIMIZATION NOTES)

Alleged Damages: \$500,000.00

Is this an oral complaint? No

Is this a written complaint? No

Is this an arbitration/CFTC reparation or civil litigation?

Yes

Arbitration/Reparation forum

or court name and location:

FINRA

**Docket/Case #:** 10-05448

Filing date of

12/21/2010

arbitration/CFTC reparation

or civil litigation:

## **Customer Complaint Information**

**Date Complaint Received:** 12/21/2010

**Complaint Pending?** No

Status: Settled

**Status Date:** 01/16/2012

Settlement Amount: \$50,000.00



**Individual Contribution** \$0.00

Amount:

**Reporting Source:** Broker

**Employing firm when** activities occurred which led

to the complaint:

Allegations:

UBS FINANCIAL SERVICES INC. /43115415-2010-123

TIME FRAME:MAY 2008 - NOVEMBER 2008. CLAIMANTS ALLEGE THAT UBS AND THEIR BROKER DID NOT ADEQUATELY ADVISE THEM THAT THE UBS

YIELD OPTIMIZATION NOTES THAT WERE RECOMMENDED TO THE

CLAIMANTS AND IN WHICH THEY INVESTED COULD LOSE A SUBSTANTIAL PORTION OF THEIR INVESTED VALUE, AND FURTHER ALLEGE THAT THE

NOTES WERE UNSUITABLE FOR THE CLAIMANTS' INVESTMENT

OBJECTIVES.

Other: STRUCTURED PRODUCTS (YIELD OPTIMIZATION NOTES) **Product Type:** 

**Alleged Damages:** \$500,000.00

Is this an oral complaint? No

Is this a written complaint? No

Is this an arbitration/CFTC reparation or civil litigation? Yes

Arbitration/Reparation forum

or court name and location:

**FINRA** 

Docket/Case #: 10-05448

Filing date of

12/21/2010

arbitration/CFTC reparation

or civil litigation:

## **Customer Complaint Information**

**Date Complaint Received:** 12/21/2010

**Complaint Pending?** No

Status: Settled

**Status Date:** 01/16/2012

**Settlement Amount:** \$50,000.00



**Individual Contribution** 

\$0.00

Amount:

Disclosure 3 of 4

Reporting Source: Broker

Employing firm when

activities occurred which led

to the complaint:

UBS FINANCIAL SERVICES INC.

Allegations: CLIENT ALLEGES THEY WERE ASSURED THAT THE SHORT-TERM PAPER

(AUCTION RATE SECURITIES) WERE THE EQUIVALENT OF SHORT-TERM CERTIFICATES OF DEPOSIT AND MONEY MARKET EQUIVALENT, THEY WERE LIQUID AND RISK FREE. DAMAGES ARE ESTIMATED TO BE IN

EXCESS OF \$5,000.

**Product Type:** Other: AUCTION RATE SECURITIES

Alleged Damages: \$5,000.00

Is this an oral complaint? No

Is this a written complaint? Yes

Is this an arbitration/CFTC

reparation or civil litigation?

No

**Customer Complaint Information** 

**Date Complaint Received:** 07/24/2008

Complaint Pending? No

Status: Settled

**Status Date:** 12/23/2008

Settlement Amount: \$350,000.00

**Individual Contribution** 

Amount:

\$0.00

Broker Statement THE COMPLAINT AROSE IN CONNECTION WITH THE INDUSTRY WIDE

BREAKDOWN OF THE LIQUIDITY IN THE MARKET FOR AUCTION RATE SECURITIES ("ARS"). THE FIRM AGREED TO REPURCHASE THE ARS SECURITIES AT ISSUE AT PAR VALUE FROM THE CLIENT PURSUANT TO A GLOBAL REPURCHASE AGREEMENT IT ENTERED INTO WITH SEVERAL REGULATORY BODIES. THIS WAS NOT A SETTLEMENT OF A DISPUTE BETWEEN THE CLIENT AND THE REPRESENTATIVE AND WAS NOT BASED ON THE MERITS OF THE CLIENT'S SPECIFIC CONCERNS OR ANY FINDING



OF FAULT OR WRONGDOING BY THE NAMED REPRESENTATIVE. THE NAMED REPRESENTATIVE WAS NOT A PARTY TO. AND DID NOT AGREE TO OR PARTICIPATE IN, THE REPURCHASE AGREEMENT BETWEEN THE FIRM

AND THE RELEVANT REGULATORY BODIES. THE NAMED

REPRESENTATIVE DID NOT MAKE ANY PAYMENTS TO THE CLIENT AND THE NAMED REPRESENTATIVE WAS NOT ASKED TO AND DID NOT CONTRIBUTE TO THE SETTLEMENT AMOUNT. THE LISTED "SETTLEMENT AMOUNT" REPRESENTS ONLY THE GROSS INITIAL PAR VALUE OF THE ARS POSITION AND DOES NOT TAKE INTO ACCOUNT THE ACTUAL VALUE OF THE ARS POSITION AT THE TIME THE FIRM RECEIVED IT BACK FROM THE CLIENT IN CONNECTION WITH THE SETTLEMENT. THIS MATTER IS BEING REPORTED AS A SETTLEMENT PURSUANT TO THE REQUIREMENTS OF FINRA **REGULATORY NOTICE 09-12.** 

Disclosure 4 of 4

**Reporting Source:** Broker

**Employing firm when** activities occurred which led to the complaint:

Allegations:

CLIENTS ALLEGE UNSUITABILITY OF INVESTMENT. ALLEGED DAMAGES

ESTIMATED TO EXCEED \$5000.

UBS FINANCIAL SERVICES INC.

**Product Type:** Annuity(ies) - Variable

Alleged Damages:

**Customer Complaint Information** 

**Date Complaint Received:** 06/13/2005

**Complaint Pending?** No

Status: Settled

**Status Date:** 05/23/2006

**Settlement Amount:** \$14,201.92

**Individual Contribution** 

Amount:

\$0.00

**Broker Statement** THE CLIENTS WERE PRESENTED MANY OPTIONS AND THEY CHOSE THIS

> OPTION. WHEN THE MARKET WENT DOWN THEY WANTED THEIR MONEY BACK. THEY FELT IT WAS UNSUITABLE TO LOOSE MONEY IN RETIREMENT

VEHICLE.



### Customer Dispute - Closed-No Action / Withdrawn / Dismissed / Denied

This type of disclosure event involves (1) a consumer-initiated, investment-related arbitration or civil suit containing allegations of sales practice violations against the individual broker that was dismissed, withdrawn, or denied; or (2) a consumer-initiated, investment-related written complaint containing allegations that the broker engaged in sales practice violations resulting in compensatory damages of at least \$5,000, forgery, theft, or misappropriation, or conversion of funds or securities, which was closed without action, withdrawn, or denied.

Disclosure 1 of 1

Reporting Source: Firm

Employing firm when activities occurred which led

to the complaint:

MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED

Allegations: CUSTOMERS ALLEGE THEIR FINANCIAL ADVISOR CLAIMED THEY WOULD

NOT LOSE THEIR INVESTMENT WHEN HE RECOMMENDED THEY

PURCHASE TWO MUTUAL FUNDS.

Product Type: Mutual Fund

Alleged Damages: \$19,432.00

Is this an oral complaint?

Is this a written complaint? Yes

Is this an arbitration/CFTC

reparation or civil litigation?

No

**Customer Complaint Information** 

**Date Complaint Received:** 05/31/2002

Complaint Pending? No

Status: Denied

**Status Date:** 07/08/2002

**Settlement Amount:** 

**Individual Contribution** 

Amount:

Reporting Source: Broker

Employing firm when activities occurred which led

MERRILL LYNCH

to the complaint:

Allegations: CUSTOMERS ALLEGE THEIR FINANCIAL ADVISOR CLAIMED THEY WOULD



NOT LOSE THEIR INVESTMENT WHEN HE RECOMMENDED THEY

PURCHASE TWO MUTUAL FUNDS.

Product Type: Mutual Fund(s)

Alleged Damages: \$19,432.00

**Customer Complaint Information** 

**Date Complaint Received:** 05/31/2002

**Complaint Pending?** Yes

**Settlement Amount:** 

**Individual Contribution** 

Amount:

Broker Statement MERRILL LYNCH AND THE FINANCIAL ADVISOR DENY THE ALLEGATIONS.

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# **End of Report**



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