

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MERRILL LYNCH PIERCE FENNER &
SMITH INCORPORATED,

Plaintiff,

VS.

STEPHEN C. LONG,

Defendant.

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CIVIL ACTION NO. H-11-3900

**ORDER AND FINAL JUDGMENT ON PLAINTIFF'S
COMPLAINT AND MOTION TO CONFIRM
ARBITRATION AWARD**

The plaintiff, Merrill Lynch, Pierce, Fenner & Smith Incorporated, filed a Complaint and Motion to Confirm an Arbitration Award and for Final Judgment. The Award is based on an arbitration proceeding held pursuant to an agreement between Merrill Lynch and its former employee, Stephen Long. The record shows that Stephen Long was properly served in this civil action but failed to answer or otherwise appear. Long also failed to appear at the arbitration hearing that resulted in the Award at issue. Based on the pleadings, the submissions, and the applicable law, this court orders that the FINRA arbitration award issued by John A. Davis, III on May 24, 2011 and attached as Exhibit "C" to the Complaint and Motion to Confirm be confirmed and ratified. Judgment is entered to enforce all of the terms and conditions of the Award.

Accordingly, it is ordered that Long is liable to pay Merrill Lynch:

1. \$89,324.00 in compensatory damages;

2. interest on that amount at the rate of 5.25% per annum from August 21, 2009 through and including the date the award is paid in full, which amounts to \$10,374.00 as of November 7, 2011;

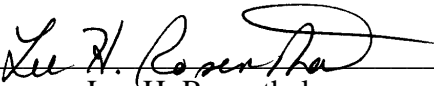
3. Merrill Lynch's costs in the amount of \$3,233.41;

4. Merrill Lynch's attorney's fees in the amount of \$23,555.59; and

5. Postjudgment interest at the rate of .15% per annum.

This is a final judgment.

SIGNED on February 14, 2012, at Houston, Texas.



Lee H. Rosenthal
United States District Judge