

**BEFORE FINRA DISPUTE RESOLUTION**

In the Matter of the Arbitration Between:

EDWARD D. JONES & CO., L.P.

Claimant,

v.

FINRA Arbitration No. 09-306579-  
29-655

RONALD F. DUCHARME and  
WELLS FARGO INVESTMENTS, LLC,

Respondents.

**ORDER ON REQUEST FOR PERMANENT INJUNCTION**

A hearing on Claimant's request for a permanent injunction under FINRA rules was held in two sessions on March 13, 2009 at Regus HQ, 250 E. Wisconsin Avenue, in Milwaukee,

Wisconsin. The panelists and those appearing for the parties were as follows:

Chairperson:	David J. Hase, Esq.
Panelist:	Leonard G. Levenson, Esq.
Panelist:	Gregory G. Wille, Esq.
For Claimant:	Christopher A. Pickett, Esq. Paul Yarns, Esq. Brad Ytterberg, Area Partner
For Respondents:	Steven E. Rau, Esq. Ronald F. Ducharme Stephen P. Mattson, Regional Vice-President

Prior to the hearing, Claimant filed its Statement of Claim and Respondents filed their Answer. Uniform Submission Agreements were filed by Claimant and Respondent Wells Fargo Investments, LLC. All of these documents, together with a copy of the temporary restraining order entered by the Circuit Court for La Crosse County, Wisconsin on February 24, 2009, were received as Arbitrators' Exhibit No. 1. In lieu of a Uniform Submission Agreement, a copy of

which had not been received by the Arbitrators prior to the hearing, Mr. Ducharme acknowledged on the record at the hearing his consent to submit the controversy to arbitration.

At the hearing, after acknowledging receipt of the disclosures made by each of the Arbitrators, the parties accepted the composition of the Panel.

The Panel heard opening statements on behalf of Claimant and Respondents and then heard testimony from Ronald Ducharme, Thomas Sahlstrom, Pamela Powers and Stephen P. Mattson followed by the closing statements of counsel.

In determining the request for permanent injunction, the Panel used the legal standard under the law of Wisconsin.

After hearing all of the testimony and the arguments of counsel and considering the Statement of Claim and the Answer, the Panel has decided to deny Claimant's motion for a permanent injunction and accordingly said motion is hereby DENIED in its entirety.

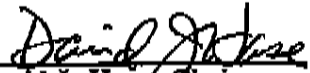
The temporary restraining order entered by the Circuit Court for La Crosse County, Wisconsin in *Edward D. Jones & Co., L.P. v. Ronald F. Ducharme*, Case No. 09-CV- 27 expired on March 11, 2009 and the parties are hereby PROHIBITED from seeking an extension of the court's order.

If the Claimant wishes to pursue damages or other issues not resolved by this Order, its counsel shall contact counsel for the Respondents to confer and agree upon four alternative proposed dates and times for holding a telephonic scheduling conference to set a hearing date for further proceedings and determine a discovery schedule, if needed. Counsel shall provide those proposed dates to FINRA Dispute Resolution. After conferring with the Panel, FINRA Dispute Resolution shall set a date for the telephonic scheduling conference and notify the parties and the Arbitrators accordingly.

The forum fees and costs of the permanent injunction hearing, including the increased arbitrator honoraria, are assessed entirely to the Claimant. If there are additional proceedings in this matter, costs with respect to those proceedings will be separately assessed at the time.

This order will remain in effect unless amended by the Arbitration Panel.

Dated: March 16, 2009

  
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David J. Hase, Chairperson

Dated: March \_\_\_\_, 2009

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Leonard G. Levenson, Panelist

Dated: March \_\_\_\_, 2009

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Gregory G. Wille, Panelist

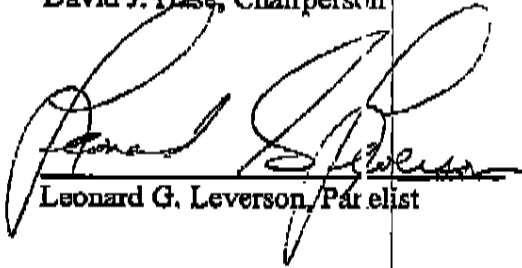
The forum fees and costs of the permanent injunction hearing, including the increased arbitrator honoraria, are assessed entirely to the Claimant. If there are additional proceedings in this matter, costs with respect to those proceedings will be separately assessed at the time.

This order will remain in effect unless amended by the Arbitration Panel.

Dated: March \_\_\_\_, 2009

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David J. Hase, Chairperson

Dated: March <sup>16</sup>16, 2009

  
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Leonard G. Levenson, Panelist

Dated: March \_\_\_\_, 2009

\_\_\_\_\_  
Gregory G. Wille, Panelist

The forum fees and costs of the permanent injunction hearing, including the increased arbitrator honoraria, are assessed entirely to the Claimant. If there are additional proceedings in this matter, costs with respect to those proceedings will be separately assessed at the time.

This order will remain in effect unless amended by the Arbitration Panel.

Dated: March \_\_\_\_, 2009

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David J. Hase, Chairperson

Dated: March \_\_\_\_, 2009

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Leonard G. Levenson, Panelist

Dated: March 17, 2009

  
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Gregory G. Wille, Panelist