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Court denies Merrill petition to vacate \$10.2 mln broker award

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Sept 17 (Reuters) - A U.S. district court confirmed on Monday that Bank of America Corp's Merrill Lynch must pay \$10.2 million to two former brokers who had been denied deferred compensation, denying the firm's petition to vacate the award.

The original ruling was made by a Financial Industry Regulatory Authority panel in early April. Many of the 3,300 brokers who left Merrill after Bank of America's purchase of the firm are pursuing claims that the acquisition constituted "good reason" for collecting their deferred pay. Merrill denied all requests to collect deferred compensation, according to prior court filings in the case.

Merrill had filed a petition to vacate the award decision, which included \$5.2 million in compensatory damages, as well as \$5 million in punitive damages, to Florida brokers Tamara Smolchek and Meri Ramazio. The brokerage claimed, among other things, that one arbitrator was biased against Merrill in its petition to vacate the award.

In the court decision filed on Monday in the Southern District of Florida, the court said it found no basis to overturn the arbitration panel's ruling and concluded that Merrill "has not sufficiently demonstrated evident partiality on the part of the panel or that the panel engaged in misconduct or exceeded its powers."

A Bank of America spokesman said the company is reviewing the decision.

The \$10.2 million award was divided by the two former brokers.

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