

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between:
Bonnie H. Jaffe, Claimant v. Phillip D. Biffle and Edward D. Jones & Co., L.P., Respondents

Case Number: 00-00557

Hearing Site: Los Angeles, California

REPRESENTATION OF PARTIES

For Claimant:

Bonnie H. Jaffe
In Pro Per
Los Angeles, California

For Respondents:

Lisa A. Nielsen, Esq.
Greensfelder, Hemker & Gale, P.C.
St. Louis, Missouri

CASE INFORMATION

Statement of Claim filed: January 31, 2000

Claimant's Uniform Submission Agreement signed: January 31, 2000

Joint Statement of Answer filed by Respondents Phillip D. Biffle and Edward D. Jones & Co., L.P.: May 9, 2000

Respondent Phillip D. Biffle's Uniform Submission Agreement signed: May 23, 2000

Respondent Edward D. Jones & Co., L.P.'s Uniform Submission Agreement signed: March 13, 2000

CASE SUMMARY

Claimant alleged breach of contract, breach of fiduciary duty, negligence, failure to supervise, churning, omissions, and unsuitability. The claims involved the rolling over of Claimant's single premium variable life insurance investment with Independence Life and Annuity Company into another variable life insurance policy with the Hartford Group.

Respondents denied the allegations of wrongdoing set forth in the Claimant's Statement of Claim.

RELIEF REQUESTED

Claimant requested compensatory damages of \$29,531.00.

Respondents requested dismissal of the Claimant's Statement of Claim in its entirety.

OTHER ISSUES CONSIDERED AND DECIDED

The parties agreed that a handwritten, signed Award may be entered.

Claimant's objection to the admissibility of Respondent's Exhibit #124 is denied.

Respondents objection to the admissibility of Claimant's Exhibit #1 is denied.

AWARD

After considering the pleadings, testimony, and evidence presented at the hearing, the Arbitrator decided in full and final resolution of the issues submitted for determination as follows:

- 1) Claimant's claims are denied in their entirety.
- 2) Each party shall bear its own costs, including attorney's fees.
- 3) All other relief not expressly granted is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution, Inc. received or will collect the non-refundable filing fees for each claim as follows:

Initial claim filing fee	= \$ 150.00
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Member Fees

Member fees are assessed to each member firm that is either a party in the matter or an employer of a respondent associated person at the time of the events which gave rise to the dispute, claim, or controversy. Accordingly, the member firm Edward D. Jones & Co., L.P. is a party and the following fees are assessed:

Member Surcharge	= \$ 600.00
Pre-Hearing Process Fee	= \$ 600.00
<u>Hearing Process Fee</u>	<u>= \$ 1,000.00</u>
Total Member Fees	= \$ 2,200.00

Forum Fees and Assessments

The Arbitrator assessed a forum fee for each pre-hearing conference or hearing session conducted. A pre-hearing conference and hearing session is any meeting between the parties and the Chair. The following fees are assessed:

One Pre-hearing conference session @ \$ 450.00/session	= \$ 450.00
Pre-hearing conference: August 30, 2000 1 session	
Two Hearing sessions @ \$ 450.00/session	= \$ 900.00
Hearings: February 15, 2001 2 sessions	
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Total Forum Fees	= \$ 1,350.00

1. The Arbitrator assessed \$ 675.00 of the forum fees to Claimant, Bonnie H. Jaffe.
2. The Arbitrator assessed \$ 675.00 of the forum fees jointly and severally to Respondents, Phillip D. Biffle and Edward D. Jones & Co., L.P.

Fee Summary

1. Claimant, Bonnie H. Jaffe, is charged with the following fees and costs:

Initial Filing Fee	= \$ 150.00
Forum Fees	= \$ 675.00
Total Fees	= \$ 825.00
Less Payments	= \$(600.00)
Balance Due NASD Dispute Resolution, Inc.	= \$ 225.00
2. Respondent, Edward D. Jones & Co., L.P., is charged with the following fees and costs:

Member Fees	= \$ 2,200.00
Less Payments	= \$(2,200.00)
Balance Due NASD Dispute Resolution, Inc.	= \$ 0.00
3. Respondents, Phillip D. Biffle and Edward D. Jones & Co., L.P., are charged jointly and severally with the following fees and costs:

Forum Fee	= \$ 675.00
Balance Due NASD Dispute Resolution, Inc.	= \$ 675.00

All balances are payable to NASD Dispute Resolution, Inc. and are to be paid immediately upon the receipt of the award by the parties pursuant to Rule 10330(g) of the Code.

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Arbitrator's Signature

Daniel R. Brush
Daniel R. Brush, CPA, CFP
Chair, Public Arbitrator

2/16/01
Signature Date

2/16/01
Date of Service