

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between

Name of Claimant

Martha A. Nisley

Case No. 00-03611

Name of Respondents

Prudential Securities, Inc.
Tod Shoffler
Robert A. Mayer

Hearing Site: Philadelphia, PA

REPRESENTATION OF PARTIES

Claimant, Martha A. Nisley, hereinafter referred to as "Claimant" represented herself at the hearing.

Respondents, Prudential Securities, Inc. ("Prudential"), Tod Shoffler ("Shoffler"), and Robert A. Mayer ("Mayer"), hereinafter collectively referred to as "Respondents": Marcia L. Williams, Esq., Prudential Securities, Inc., New York, NY.

CASE INFORMATION

Statement of Claim filed on or about: August 15, 2000.

Original Claimants, Martha A. Nisley JT TEN, Harry E. Sheetz, and Elizabeth R. Sheetz signed the Uniform Submission Agreement: August 14, 2000.

Claimant Martha A. Nisley signed the Uniform Submission Agreement as the sole remaining Joint Tenant: November 14, 2001.

Statement of Answer filed by Respondents on: September 25, 2000.

Respondent Tod Shoffler signed the Uniform Submission Agreement: September 15, 2000.

Respondent Robert A. Mayer signed the Uniform Submission Agreement: September 18, 2000.

Marci B. Gold, Vice-President of Prudential Securities, Inc. signed the Uniform Submission Agreement on behalf of Respondent Prudential Securities, Inc.: September 25, 2000.

CASE SUMMARY

Claimant asserted the following causes of action: negligence; failure to supervise; misrepresentation and non-disclosure of fact; churning; omission of fact; and, suitability. The allegations concerned the purchase and trading of mutual funds, municipal bonds, and common stock, including the purchase of shares of Nuveen Floating Rate Fund Class B.

Unless specifically admitted in its Answer, Respondents denied the allegations made in the Statement of Claim and asserted the following defenses, among others: the Statement of Claim fails to state a claim upon which relief may be granted; ratification; estoppel; Claimant assumed any risk of loss; Claimant's account was not invested in contravention to the investment objectives; Claimant's claim is barred by the applicable Statute of Limitations; Respondents were not the proximate cause of any alleged loss; and, Claimant has not incurred any damages.

RELIEF REQUESTED

Claimant requested:

Compensatory Damages

\$ 8,000

Punitive Damages

\$ 10,000

Respondents requested that Claimant's claim be denied in its entirety and that all costs associated with this claim be assessed against Claimant.

OTHER ISSUES CONSIDERED AND DECIDED

Claimant's Amended Statement of Claim was accepted by the sole arbitrator on September 18, 2001.

Harry E. Sheetz and Elizabeth R. Sheets are deceased, leaving Martha A. Nisley as the sole Joint Tenant, and the sole Claimant in this matter.

Claimant's Amended Uniform Submission Agreement was accepted by the sole arbitrator at the hearing.

AWARD

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

1. Claimant is awarded \$8,758 to be paid jointly and severally by Respondents Prudential and Shoffler. This amount was based on calculations using the data from Claimant's monthly statements submitted as evidence at the hearing by Respondents;

2. No interest on this amount is awarded;
3. Claimant's claim for punitive damages is denied in its entirety;
4. The parties shall bear their respective costs and expenses, including attorneys fees, except as Fees are specifically addressed below; and,
5. Any request for relief not specifically addressed herein is denied in its entirety.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Initial claim filing fee = \$ 125

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated persons at the time of the events giving rise to the dispute. In this matter, the member firm is a party.

Member surcharge = \$ 400

Forum Fees and Assessments

The arbitrator has the authority to assess forum fees for each hearing session conducted. A hearing session is any meeting between the parties and the arbitrator, including a pre-hearing conference with the arbitrator, that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with a single arbitrator x \$ 450 = \$ 450
Pre-hearing conference: June 13, 2001 1 session

Two (2) Hearing sessions x \$ 450 = \$ 900
Hearing Date: November 15, 2001 2 sessions

Total Forum Fees = \$ 1,350

The arbitrator has assessed \$ 675 of the forum fees to Claimant.
The arbitrator has assessed \$ 675 of the forum fees jointly and severally to Respondents Prudential and Shoffler.

Fee Summary

Claimant, Martha A. Nisley, is assessed and shall pay:

Initial Filing Fee	= \$ 125
Forum Fees	= \$ 675

Total Fees	= \$ 800
Less payments	= \$ 575

Balance Due NASD Dispute Resolution, Inc.	= \$ 350
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Respondent, Prudential, is assessed and shall pay:

Member Fees	= \$ 400
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Total Fees	= \$ 400
Less payments	= \$ 400

Balance Due NASD Dispute Resolution, Inc.	= \$ 00
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Respondents, Prudential and Shoffler, are jointly and severally assessed and shall pay:

Forum Fees	= \$ 675
Less payments	= \$ 600

Balance Due NASD Dispute Resolution, Inc.	= \$ 75
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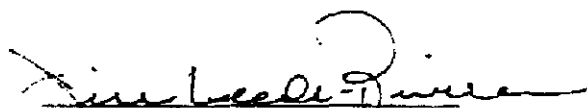
All balances are due to NASD Dispute Resolution, Inc.

ARBITRATION PANEL

Jill Leeds-Rivera

- Public Arbitrator, Sole Arbitrator

Arbitrator's Signature



Jill Leeds-Rivera
Public Arbitrator, Sole Arbitrator

12/14/01
Signature Date

December 18, 2001

Date of Service (For NASD-Dispute Resolution office use only)