

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 01-00755

Nina Swann, claimant vs. Preferred Securities Group, Inc. and Ted Malkasian, respondents.

ATTORNEYS:

For Claimant appeared Jeffrey P. Coleman, Esq., of the Coleman Law Firm, Clearwater, FL.

For Respondent Preferred Securities Group, Inc. appeared Carole R. Bernstein, Esq., Westport, CT.

Respondent Ted Malkasian appeared Pro Se, Atlanta, GA.

DATE FILED: February 14, 2001

CASE SUMMARY: Claimant alleged that respondents recommended investments that were unsuitable for her investment objectives. Claimant further alleged that respondents breached their fiduciary duty when they misrepresented and omitted facts which induced claimant to purchase these stocks and thereby created a loss in her account.

Claim Data

Claim: \$25,000.00
Punitive: unspecified
Interest: unspecified
Filing Fees: unspecified
Other: unspecified

Award Data

Award: \$12,000.00
Punitive: \$.00
Interest: \$.00
Filing Fees: \$425.00
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The claims of claimant against respondent Ted Malkasian are dismissed in their entirety. 2) Respondent Preferred Securities Group, Inc. is liable and shall pay to the claimant \$12,000.00. 2) All requests for interest are denied. 3) All requests for punitive damages are denied. 4) All other relief requests are denied. 5) The \$425.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the claimant, shall be retained by NASD Dispute Resolution, Inc. 6) Respondent Preferred Securities Group, Inc. is liable and shall pay claimant \$425.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, respondent Preferred Securities Group, Inc. has paid to NASD Dispute Resolution, Inc. the \$400.00 Member Surcharge previously invoiced.

OTHER ISSUES: 1) Respondent Ted Malkasian's Motion to Dismiss was granted. 2) Respondent Preferred Securities Group, Inc.'s Motion to Dismiss was denied.

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Award 01-00755

Mauricio Arcadier, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Mauricio Arcadier, Esq., do hereby affirm, upon my oath as arbitrator that I am the individual described herein who executed this instrument, which is my oath and award.


Mauricio Arcadier, Esq.

4/13/01
Signature Date

November 27, 2001
Date of Service (For NASD-DR office use only)