

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between:

Tuyette Crouch, Claimant v. T.D. Waterhouse Investor Services, Inc., Respondent

Case Number: 01-01864

Hearing Site: San Diego, California

REPRESENTATION OF PARTIES

For Claimant:

Dennis R. Villavicencio, Esq.
Law Offices of Dennis R.
Villavicencio
Carlsbad, California

For Respondent:

John L. Erikson, Jr., Esq.
Jones, Bell, Abbott, Fleming
& Fitzgerald, L.L.P.
Los Angeles, California

CASE INFORMATION

Statement of Claim filed: April 11, 2001

Claimant's Uniform Submission Agreement signed: December 12, 2000

Statement of Answer filed by Respondent: May 14, 2001

Respondent's Uniform Submission Agreement signed: May 14, 2001

CASE SUMMARY

Claimant alleged unauthorized sale of stock, breach of fiduciary duty, breach of contract, violations of federal securities laws, California securities laws, NASD rules, and NYSE rules. Allegations arose out of the purchase and/or sale of securities in PPE, TTN, SFE, and QLGC.

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

RELIEF REQUESTED

Claimant requested compensatory damages of \$24,336.00, punitive damages, interest, attorney's fees, and arbitration costs.

Respondent 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.

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) Respondent is liable to and shall pay Claimant \$13,505.60 in compensatory damages.
- 2) Respondent is liable to and shall pay Claimant interest on the sum of \$13,505.60 at the rate of 10% per annum simple interest from date of service of the Award until paid in full.
- 3) Respondent is liable to and shall pay Claimant \$125.00 for reimbursement of filing fees.
- 4) Claimant's request for punitive damages is denied.
- 5) The parties shall bear their respective costs, including attorney's fees.
- 6) All other relief requested and 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	= \$ 125.00
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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 T.D. Waterhouse Investor Services, Inc. is a party and the following fees are assessed:

Member Surcharge	= \$ 400.00
Total Member Fees	= \$ 400.00

Adjournment Fees

The following adjournment fees are assessed:

Hearing Date, November 26, 2001	
adjournment requested by Respondent	
Fee Waived by Arbitrator	= \$ 0.00

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 Arbitrator. The following fees are assessed:

1 Pre-hearing conference session with the arbitrator @ \$ 450.00/session	= \$ 450.00
Pre-hearing conference: September 18, 2001 1 session	
2 Hearing sessions @ \$ 450.00/session	= \$ 900.00
Hearing: November 30, 2001 2 sessions	
Total Forum Fees	= \$ 1,350.00

The Arbitrator assessed \$ 1,350.00 of the forum fees to Respondent T.D. Waterhouse Investor Services, Inc.

Fee Summary

1. Claimant Tuyette Crouch is charged with the following fees and costs:

Initial Filing Fee	= \$ 125.00
Less payments	= \$ (575.00)
Refund Due Claimant	= \$ (450.00)

2. Respondent T.D. Waterhouse Investor Services, Inc. is charged with the following fees and costs:

Member Fees	= \$ 400.00
Forum Fees	= \$ 1,350.00
Total Fees	= \$ 1,750.00
Less payments	= \$ (400.00)
Balance Due NASD Dispute Resolution, Inc.	= \$ 1,350.00

All balances are payable to NASD Dispute Resolution, Inc. and are due upon the receipt of the Award pursuant to Rule 10330(g) of the Code.

NASD Dispute Resolution, Inc.
Arbitration No. 01-01864
Award Page 5 of 5

ARBITRATION PANEL

Jon Milliken, Esq.

Public Arbitrator, Presiding Chair

Arbitrator's Signature



Jon Milliken, Esq.
Chair, Public Arbitrator



Signature Date



Date of Service