

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 01-02939

Dorothy C. Allshouse, claimant vs. Morgan Stanley DW Inc., Paul R. Jingosian and Jay Keranen, respondents.

ATTORNEYS:

Claimant appeared pro se, Troy, MI.

For Respondents appeared in-house counsel, Douglas F. Stone, Esq., New York, NY.

DATE FILED: June 4, 2001

CASE SUMMARY: Claimant alleged that respondents failed to process her transfer request in a timely manner. Claimant maintained that due to respondents' actions, her account sustained losses.

ARBITRATOR'S REPORT: There is very little documentation to support the opinions of either the claimant or the respondent. However, the letter from Morgan Stanley DW dated November 4, 1999 introduced some confusion concerning the transfer of the shares in question. Not only does the letter not state that the shares in question cannot be transferred to another brokerage firm; the letter implies they can be, once the margin status is removed. This confusion certainly contributed to the delay in the sale of the shares in question.

Since there is no documentation that shows this confusion had been remedied before the shares were sold on February 29, 2000, it is my judgment that the writer of the letter, Morgan Stanley DW, should be held responsible for the delay in the sale of the shares.

Claim Data

Claim: \$9,697.00
Filing Fees: \$325.00

Award Data

Award: \$9,697.00
Filing Fees: \$162.50

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 respondents Paul R. Jingosian and Jay Keranen are dismissed in their entirety. 2) Respondents Morgan Stanley DW, Inc. is liable and shall pay to the claimant \$9,697.00. 3) All other relief requests are denied. 4) The \$325.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the claimant, shall be retained by NASD Dispute Resolution, Inc. 5) Respondent Morgan Stanley DW, Inc. is liable and shall pay claimant \$162.50 as reimbursement of one-half of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, respondent Morgan Stanley DW, Inc., has paid to NASD Dispute Resolution, Inc. the \$300.00 Member Surcharge previously invoiced.

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Richard E. Michel, PhD

Sole Public Arbitrator

AFFIRMATION

I, Richard E. Michel, PhD, 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.



Richard E. Michel, PhD

22 March 2002

Signature Date

March 28, 2002

Date of Service (For NASD-DR office use only)