
Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between:

Name of the Claimant
Lietta B. Haenel

Case Number: 02-04728

Names of the Respondents
Phillip G. Hinds
Daniel C. Imming

Hearing Site: St. Louis, Missouri

REPRESENTATION OF PARTIES

Claimant Lietta B. Haenel ("Claimant") was represented by Sherman K. Finer, of Des Peres, Missouri.

Respondents Phillip G. Hinds ("Hinds") and Daniel C. Imming ("Imming") each appeared *pro se*.

CASE INFORMATION

The Statement of Claim was filed on or about August 12, 2002.
Claimant signed the Uniform Submission Agreement on August 5, 2002.

Hinds filed a Statement of Answer on or about October 7, 2002.
Hinds signed the Uniform Submission Agreement on October 7, 2002.

Imming filed a Statement of Answer on or about October 4, 2002.
Imming signed the Uniform Submission Agreement on September 30, 2002.

CASE SUMMARY

Claimant alleged the following in her Statement of Claim: unsuitability. Claimant's allegations were related to investments in various mutual funds in a variable annuity.

Unless otherwise admitted in its Statement of Answer, Hinds denied Claimant's allegations.

Unless otherwise admitted in his Statement of Answer, Imming denied Claimant's allegations.

RELIEF REQUESTED

Claimant requested the following in her Statement of Claim:

Compensatory Damages	\$ 170,000.00
Punitive Damages	\$ 170,000.00
Costs	not specified

Hinds requested that Claimant's claims be dismissed in their entirety.

Imming requested that Claimant's claims be dismissed in their entirety.

AWARD

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

1. Respondent Phillip G. Hinds is solely liable for, and shall pay to Claimant Lietta B. Haenel, the sum of \$20,000.00 (Twenty Thousand Dollars and No Cents) as compensatory damages.
2. Respondent Daniel C. Imming is solely liable for, and shall pay to Claimant Lietta B. Haenel, the sum of \$44,000.00 (Forty-four Thousand Dollars and No Cents) as compensatory damages.
3. Except as otherwise specified herein, each party shall bear its own costs and expenses.
4. Any and all relief not specifically addressed herein, including punitive damages, is denied with prejudice.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution will retain or collect the following non-refundable filing fee:

Initial claim filing fee = \$ 300.00*

*NASD Dispute Resolution waived the filing fee based on a showing of financial hardship.

Forum Fees and Assessments

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

One (1) Pre-hearing session with the Panel x \$1,125 = \$ 1,125.00
Pre-hearing conference: February 18, 2003 1 session

Two (2) Hearing sessions x \$1,125 = \$ 2,250.00

Hearing Date: April 8, 2003 2 sessions

Total Forum Fees = \$ 3,375.00

The Panel has assessed the forum fees incurred in this arbitration as follows:

1. One half (\$1,687.50) solely to Claimant Lietta B. Haenel;
2. One fourth (\$843.75) solely to Respondent Phillip G. Hinds; and
3. One fourth (\$843.75) solely to Respondent Daniel C. Imming.

Fee Summary

1. Claimant, Lietta B. Haenel, is solely liable for:

<u>Forum Fees</u>	= \$ 1,687.50
Total Fees	= \$ 1,687.50
<u>Less Payments</u>	= \$ 0.00
Balance due to NASD Dispute Resolution	= \$ 1,687.50

2. Respondent, Phillip G. Hinds, is solely liable for:

<u>Forum Fees</u>	= \$ 843.75
Total Fees	= \$ 843.75
<u>Less payments</u>	= \$ 0.00
Balance Due to NASD Dispute Resolution	= \$ 843.75

3. Respondent, Daniel C. Imming, is solely liable for:

<u>Forum Fees</u>	= \$ 843.75
Total Fees	= \$ 843.75
<u>Less payments</u>	= \$ 0.00
Balance Due to NASD Dispute Resolution	= \$ 843.75

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

05/05/03 MON 14:34 FAX

NASD REGULATION

008

NASD Dispute Resolution
Arbitration No. 02-04728
Award Page 4 of 4

ARBITRATION PANEL

<i>Dale W. Roth</i>	-	<i>Public Arbitrator, Chairperson</i>
<i>Edward C. Lawrence</i>	-	<i>Public Arbitrator</i>
<i>Michael S. Hill</i>	-	<i>Non-Public Arbitrator</i>

Concurring Arbitrators' Signatures

Dale W. Roth
Chairperson

5/6/03
Signature Date

Edward C. Lawrence
Public Arbitrator

Signature Date

Michael S. Hill
Non-Public Arbitrator

Signature Date

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

NASD Dispute Resolution
Arbitration No. 02-04728
Award Page 4 of 4

ARBITRATION PANEL

Dale W. Roth

Edward C. Lawrence

Michael S. Hill

Public Arbitrator, Chairperson

Public Arbitrator

Non-Public Arbitrator

Concurring Arbitrators' Signatures

Dale W. Roth

Chairperson

Signature Date

Edward C. Lawrence

Public Arbitrator

Signature Date

Michael S. Hill

Michael S. Hill

Non-Public Arbitrator

5-5-03

Signature Date

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