
Stipulated Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Names of the Claimants

Dandrick P. McWhite and Emma M. Nero

Case Number: 02-05908

Names of the Respondents

Prudential Securities Incorporated
and Sean T. Stein

Hearing Site: Boca Raton, Florida

Nature of the Dispute: Customer vs. Member and Associated Person.

REPRESENTATION OF PARTIES

For Dandrick P. McWhite and Emma M. Nero, hereinafter collectively referred to as "Claimants": Anthony M. Abraham, Esq., New York, New York.

For Prudential Securities Incorporated ("Prudential") and Sean T. Stein ("Stein"), hereinafter collectively referred to as "Respondents": Jordan D. Becker, Vice President, Corporate Counsel, Prudential Securities Incorporated, New York, New York.

CASE INFORMATION

Statement of Claim filed on or about: October 3, 2002.

Claimants signed the Uniform Submission Agreement: August 23, 2002.

Respondents did not file Statements of Answer or executed Uniform Submission Agreements.

CASE SUMMARY

Claimants alleged that they were uneducated and unsophisticated investors. In addition, Claimants asserted the following causes of action: control person liability; unsuitability; breach of fiduciary duty; fraud; unauthorized trading; failure to supervise; and, churning. The causes of action relate to the purchase and sale of unspecified securities products in Claimants' accounts.

RELIEF REQUESTED

Claimants requested compensatory damages in the amount of \$100,000.00, plus pre-judgment interest and costs in the amount of at least \$40,000.00.

OTHER ISSUES CONSIDERED AND DECIDED

Respondents did not file with NASD Dispute Resolution properly executed submissions to arbitration but are required to submit to arbitration pursuant to the NASD Code of Arbitration Procedure (the "Code") and are bound by the determinations of the Arbitrator on all issues submitted.

On or about May 11, 2004, prior to the appointment of an arbitration panel in this matter, the parties advised NASD Dispute Resolution that this matter had been settled. In addition, the parties submitted a proposed Stipulated Award with a request that a single arbitrator be appointed for the purpose of executing the Stipulated Award in this matter.

AWARD

The parties have entered into a confidential settlement agreement, pursuant to which the parties agreed to present to the Arbitrator a Stipulated Award. Now, in lieu of a hearing, and upon the motion of the parties for entry of a Stipulated Award, the Arbitrator grants the motion and enters this Stipulated Award in full and final resolution of the issues submitted for determination as follows:

Claimants' claims against all Respondents are dismissed, with prejudice.

The Arbitrator recommends the expungement of all references to the above captioned arbitration from Respondent Sean T. Stein's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, Respondent Sean T. Stein must obtain confirmation from a court of competent jurisdiction before the NASD CRD will execute the expungement directive.

All other requests for relief are denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Initial claim filing fee	= \$ 225.00
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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 person at the time of the events giving rise to the dispute. In this matter, the member firm Prudential Securities Incorporated is a party.

Member surcharge	= \$1,100.00
Pre-hearing process fee	= \$ 750.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

No requests for adjournments were filed in this matter.

Injunctive Relief Fees

Injunctive relief fees are assessed to each member or associated person who files for a temporary injunction in court. Parties in these cases are also assessed arbitrator travel expenses and costs when an arbitrator is required to travel outside his or her hearing location and additional

arbitrator honoraria for the hearing for permanent injunction. These fees, except the injunctive relief surcharge, are assessed equally against each party unless otherwise directed by the Panel.

No injunctive relief fees were incurred in this matter.

Forum Fees and Assessments

The Arbitrator has assessed forum fees for each session conducted. A 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:

No forum fees were incurred in this matter.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but are not limited to: additional copies of arbitrator awards; copies of audio transcripts; retrieval of documents from archives; interpreters; and, security.

No administrative costs were incurred in this matter.

Fee Summary

Claimant is solely liable for:

<u>Initial Filing Fee</u>	= \$ 225.00
<u>Total Fees</u>	= \$ 225.00
<u>Less payments</u>	= \$ 225.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondent Prudential is solely liable for:

<u>Member Fees</u>	= \$ 1,850.00
<u>Total Fees</u>	= \$ 1,850.00
<u>Less payments</u>	= \$ 1,850.00
Balance Due NASD Dispute Resolution	= \$ 0.00

ARBITRATOR

Ronald Griffith Wilkins - Public Arbitrator, Presiding Chairperson

Arbitrator's Signature

/s/

05/27/04

Ronald Griffith Wilkins
Public Arbitrator, Presiding Chairperson
05/27/04

Signature Date

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

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ARBITRATOR

Ronald Griffith Wilkins

Public Arbitrator, Presiding Chairperson

Arbitrator's Signature



Ronald Griffith Wilkins
Public Arbitrator, Presiding Chairperson

May 27, 2004
Signature Date

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