

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 02-07455

Margaret E. Jahnke, Claimant vs. Norman Amos Maust and ProEquities, Inc. Respondents.

ATTORNEYS:

For Claimant, Margaret E. Jahnke ("Claimant") appeared John William Davis, Jr. Esq. of the Law Offices of Davis & Roose, Goshen, IN.

For Respondents, Norman Amos Maust and ProEquities, Inc. (collectively "Respondents") appeared Robert D. Emmerson, Esq. of the Law Offices of White & Raub, LLP, Indianapolis, IN.

DATE FILED: December 10, 2002

CASE SUMMARY: Claimant alleged that Respondents recommended unsuitable investment and breached their fiduciary duty to her. Claimant maintained that due to Respondents' actions, her guardian Variable Annuity account suffered financial losses. Claimant's claim involved various growth funds.

Claim Data

Claim: \$23,788.13
Interest: 8% p.a. on \$75,000.00,
and 8% p.a. on \$23,788.13
Attorney Fees: Unspecified
Filing Fees: \$425.00
Other: Unspecified

Award Data

Award: \$.00
Interest: \$.00
Attorney Fees: \$.00
Filing Fees: \$212.50
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 are dismissed in their entirety. 2) All requests for attorney fees are denied. 3) All requests for interest are denied. 4) All other relief requests are denied. 5) The \$425.00 filing fee previously deposited with NASD Dispute Resolution by the Claimant, shall be retained by NASD Dispute Resolution. 6) Respondents are jointly and severally liable and shall pay Claimant \$212.50 as reimbursement of one half of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent, ProEquities, Inc. has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

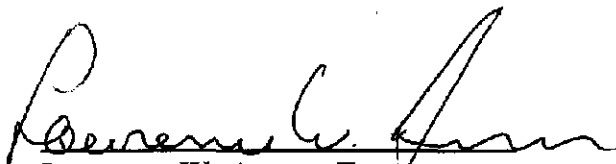
Lawrence W. Arness, Esq.

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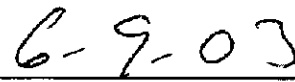
Sole Public Arbitrator

AFFIRMATION

I, Lawrence W. Arness, 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.



Lawrence W. Arness, Esq.



Signature Date

June 18, 2003
Date of Service (For NASD-DR office use only)