

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 02-07515

Stephen W. and Patricia L. Stauffer, Claimants vs. Robin Armstrong and Morgan Stanley, DW, Inc., Respondents.

ATTORNEYS:

Claimants, Stephen W. and Patricia L. Stauffer, (collectively "Claimants") appeared pro se, Glen Arm, MD.

Respondents, Robin Armstrong and Morgan Stanley DW, Inc., (collectively "Respondents") appeared through their in-house counsel Debra Roth, New York, NY.

DATE FILED: December 13, 2002

ARBITRATOR'S REPORT: Claimants failed to meet their burden that they complied with employee regulations of purchasing stock. While it appears that Mr. Stauffer called the compliance department, he did not receive approval from the branch department head. Further, when it was denied, he showed no proof that he went to any other person in Morgan Stanley.

Clearly, from the documents attached to the Statement of the Claim and reply, the purchase of stock is a two step process. Claimant did not comply with obtaining approval from the second step.

CASE SUMMARY: Claimants alleged that Respondents were negligent, and failed to execute an order to purchase 25 Morgan Stanley March 50 call options at \$1.00, the offering price at the time. Claimants maintained that due to Respondents' actions, they suffered financial losses.

Claim Data

Claim: \$7,000.00
Punitive: \$18,000.00
Filing Fees: unspecified
Other: unspecified

Award Data

Award: \$.00
Punitive: \$.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 Claimants are dismissed in their entirety. 2) All requests for punitive damages are denied. 3) All other relief requests are denied. 4) The \$425.00 filing fee previously deposited with NASD Dispute Resolution by the Claimants, shall be retained by NASD Dispute Resolution. 5) Respondents are liable and shall pay Claimants \$212.50 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 the \$425.00 Member Surcharge previously invoiced.

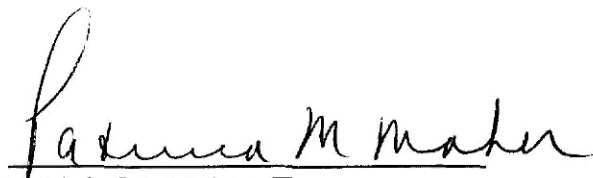
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Award 02-07515

Patricia M. Maher, JD

Sole Public Arbitrator

AFFIRMATION

I, Patricia M. Maher, JD, 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.


Patricia M. Maher, JD


Signature Date

September 4, 2003
Date of Service (For NASD-DR office use only)