

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 03-01146

Stella W. Woo, Claimant v. Gilbert M. Gonzales and Cal Fed Bank, Respondents.

ATTORNEYS:

Claimant, Stella W. Woo, ("Claimant"), appeared through her daughter, Christina A. Woo, Los Angeles, CA.

Respondents, (collectively "Respondents"):

Respondent Gilbert M. Gonzales, ("Gonzales"), appeared through his in-house counsel, Jennifer Sendor of Citicorp Investment Services, Long Island City, NY.

Respondent Cal Fed Bank did not submit an answer in this case.

NATURE OF DISPUTE: Customer v. Associated Person and Non-Member Without Contract to Arbitrate.

DATE FILED: February 18, 2003

CASE SUMMARY: Claimant alleged that Respondents breached their fiduciary duty to her, and that Respondent Gonzales misrepresented and omitted material facts about unsuitable mutual fund investments in her trust account. Claimant maintained that due to Respondents' action, her trust account suffered financial losses.

Claim Data

Claim: \$8,402.32
Filing Fees: \$325.00
Other: \$300.00

Award Data

Award: \$3,625.00
Filing Fees: \$162.50
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 against Cal Fed Bank are denied in their entirety. 2) Respondent Gonzales is liable for and shall pay to the Claimant \$3,625.00. 3) All other relief requests are denied. 4) NASD Dispute Resolution shall retain the \$325.00 filing fee that the Claimant deposited previously. 5) Respondent Gonzales is liable for and shall pay to the Claimant \$162.50 as reimbursement of one-half of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Citicorp Investment Services, the member firm currently associated with Respondent Gonzales, has paid to NASD Dispute Resolution the \$325.00 Member Surcharge previously invoiced.

OTHER ISSUES: The arbitrator granted Respondents' Motion to Dismiss California Federal Bank. Respondents' Motion to Dismiss the Statement of Claim was denied.

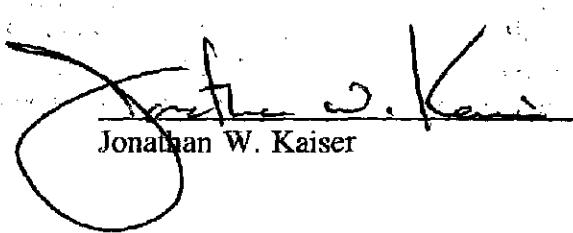
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ARBITRATOR

Jonathan W. Kaiser - Sole Public Arbitrator

AFFIRMATION

I, Jonathan W. Kaiser, 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.


Jonathan W. Kaiser

5/17/04
Signature Date

July 2, 2004
Date of Service (For NASD-DR office use only)