

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION**

CASE: 03-02801

Robert L. Kollar, Claimant vs. Jack Lentz, Mark Albers, and Morgan Stanley Dean Witter, Inc. f/k/a Dean Witter Reynolds, Inc., Respondents.

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**ATTORNEYS:**

For Claimant, Robert L. Kollar, ("Claimant") appeared John M. Lotz, Esq., Aliso Viejo, CA.

For Respondents, Jack Lentz, Mark Albers, and Morgan Stanley Dean Witter, Inc., f/k/a Dean Witter Reynolds, Inc., (collectively "Respondents") appeared in-house counsel, Ronald E. Wood, Esq., Los Angeles, CA.

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DATE FILED: April 15, 2003

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CASE SUMMARY: Claimant alleged that Respondents failed to properly transfer securities in his account. Claimant further alleged that Respondents violated the Customer Account Transfer, NASD Rule 11870, and failed to supervise the transfer of his accounts. Claimant maintained that due to Respondents' actions, he suffered financial losses. Claimant's claim involved various mutual funds and securities.

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**Claim Data**

Claim: \$7,463.46

Interest: \$1,865.87

Filing Fees: \$325.00

Other: Unspecified

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**Award Data**

Award: \$5,938.70

Interest: At the rate of 10% per annum  
from 10/5/00 to 4/5/03

Filing Fees: \$325.00

Other: \$.00

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AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent, Morgan Stanley DW Inc., is liable and shall pay Claimant \$1,979.57. 2) Respondent, Jack Lentz, is liable and shall pay to Claimant \$1,979.57. 3) Respondent, Mark Albers, is liable and shall pay Claimant \$1,979.57. 4) Respondent, Morgan Stanley DW Inc., is liable and shall pay Claimant interest at the rate of 10% per annum from October 5, 2000 to April 5, 2003. 5) Respondent, Jack Lentz is liable and shall pay Claimant interest at the rate of 10% per annum from October 5, 2000 to April 5, 2003. 6) Respondent, Mark Albers, is liable and shall pay Claimant interest at the rate of 10% per annum from October 5, 2000 to April 5, 2003. 7) All other relief requests are denied. 8) The \$325.00 filing fee previously deposited with NASD Dispute Resolution by the Claimant, shall be retained by NASD Dispute Resolution. 9) Respondent, Morgan Stanley DW Inc., is liable and shall pay Claimant \$108.33 as reimbursement of one third of the filing fee. 10) Respondent, Jack Lentz, is liable and shall pay Claimant \$108.33 as reimbursement of one third of the filing fee. 11) Respondent, Mark Albers, is liable and shall pay Claimant \$108.33 as reimbursement of one third of the filing fee.

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OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent, Morgan Stanley Dean Witter Inc. f/k/a Dean Witter Reynolds, Inc. has paid to NASD Dispute Resolution the \$325.00 Member Surcharge previously invoiced.

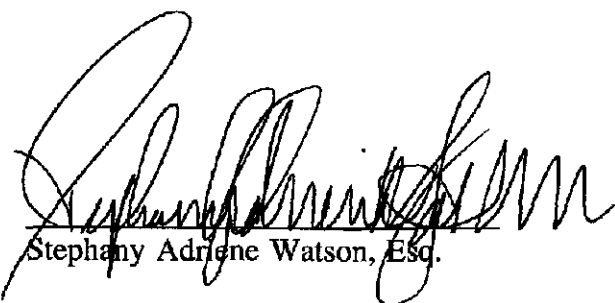
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Award 03-02801

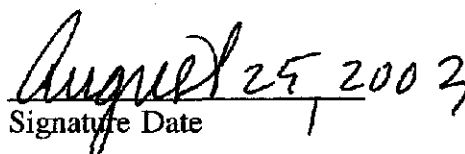
Stephany Adriene Watson, Esq.

Sole Public Arbitrator

**AFFIRMATION**

I, Stephany Adriene Watson, 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.

  
Stephany Adriene Watson, Esq.

  
Signature Date

September 9, 2003

Date of Service (For NASD-DR office use only)