

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 03-03245

Gertrude Lillian Berndt, Claimant v. Susan R. Youngsman, Respondent.

ATTORNEYS:

Claimant, Gertrude Lillian Berndt, ("Claimant"), appeared pro se, Seattle, WA.

For Respondent, Susan R. Youngsman, ("Respondent"), appeared Kavita Amar, of the firm Davis Wright Tremaine LLP, Seattle, WA.

NATURE OF DISPUTE: Customer v. Associated Person

DATE FILED: May 2, 2003

CASE SUMMARY: Claimant alleged that Respondent sold her misrepresented variable annuities with high-risk funds unsuitable to her needs. Claimant maintained that due to Respondent's action, her account suffered financial losses. Claimant's claim involved various annuities.

Claim Data

Claim: \$5,000.00
Filing Fees: \$0.00

Award Data

Award: \$0.00
Filing Fees: \$87.50

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) NASD Dispute Resolution shall retain the \$175.00 filing fee that the Claimant deposited previously. 3) Respondent is liable and shall pay Claimant \$87.50 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Banc of America Investment Securities, has paid to NASD Dispute Resolution the \$200.00 Member Surcharge previously invoiced.

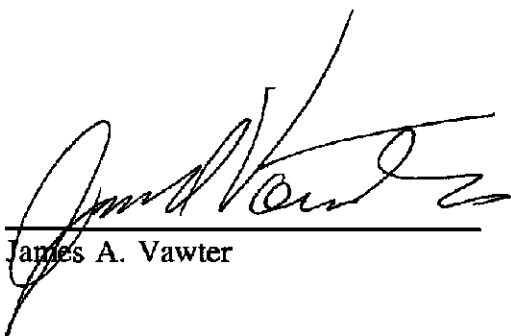
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Award 03-03245

James A. Vawter

Sole Public Arbitrator

AFFIRMATION

I, James A. Vawter, 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.



James A. Vawter

10/27/03
Signature Date

November 5, 2003
Date of Service (For NASD-DR office use only)