

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

CASE: 03-06333

Louis Basile, Claimant v. Morgan Stanley DW Inc. f/k/a Dean Witter Reynolds Inc.,  
Respondent.

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**ATTORNEYS:**

For Claimant, Louis Basile, ("Claimant"), appeared Adam S. Doner, Esq., Palm Beach  
Gardens, FL.

Respondent, Morgan Stanley DW Inc. f/k/a Dean Witter Reynolds Inc., ("Respondent"),  
appeared through its in-house counsel, Edmund Shea, Esq., New York, NY.

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**NATURE OF DISPUTE:** Customer v. Member

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**DATE FILED:** September 2, 2003

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**CASE SUMMARY:** Claimant alleged that Respondent ignored his objectives and instructions  
by making investments in unsuitable securities and misrepresented information regarding the  
purchase and sale of securities in his account. Claimant further alleged that Respondent  
breached its fiduciary duty to him, and employed devises, schemes and artifices to defraud him  
by weighting his portfolio in technology and telecommunication stocks. Claimant alleged that  
Respondent failed to supervise its representatives, and violated Conduct Rule 2110 of the NASD  
Manual. Claimant maintained that due to Respondent's action, his account suffered financial  
losses.

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**Claim Data**

Claim: \$25,000.00  
Interest: \$.00  
Attorney Fees: Unspecified  
Filing Fees: Unspecified  
Other: Unspecified

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**Award Data**

Award: \$.00  
Interest: \$.00  
Attorney Fees: \$.00  
Filing Fees: \$.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) The claims of Claimant are dismissed in  
their entirety. 2) All requests for interest are denied. 3) All requests for attorney fees are  
denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the  
\$425.00 filing fee that the Claimant deposited previously.

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

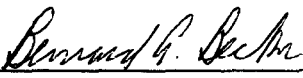
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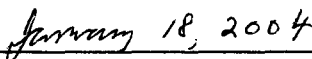
Bernard A. Becker, CPA

Sole Public Arbitrator

**AFFIRMATION**

I, Bernard A. Becker, CPA, 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.

  
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Bernard A. Becker, CPA

  
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Signature Date

February 11, 2004  
Date of Service (For NASD-DR office use only)