

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-00711

Gerard and Jacqueline Veziers, Claimants v. Morgan Stanley DW, Inc. and Caroline Mellema, Respondents

ATTORNEYS:

Claimants Gerard and Jacqueline Veziers (collectively "Claimants") appeared *pro se*, L'Hay Les Roses, France.

For Respondents Morgan Stanley DW, Inc. and Caroline Mellema (collectively "Respondents") appeared Harrison A. Kaufman, Esq., in-house counsel, Morgan Stanley DW, Inc., New York, NY.

NATURE OF DISPUTE: Customers v. Member and Associated Person.

DATE FILED: February 23, 2004.

CASE SUMMARY: Claimants alleged that Respondents sold shares of Evergreen Precious Metals Fund Class B without their knowledge or authorization. Claimants maintained that due to Respondents' actions, their account suffered losses.

Claim Data

Claim: \$21,751.11
Filing Fees: \$425.00
Other: Unspecified

Award Data

Award: \$21,751.11
Filing Fees: \$425.00
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents are jointly and severally liable and shall pay to the Claimants \$21,751.11. 2) All other relief requests are denied. 3) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimants deposited previously. 4) Respondent Morgan Stanley DW, Inc. is liable and shall pay Claimants \$212.50 as reimbursement of one-half of the filing fee. 5) Respondent Caroline Mellema is liable and shall pay Claimants \$212.50 as reimbursement for 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.

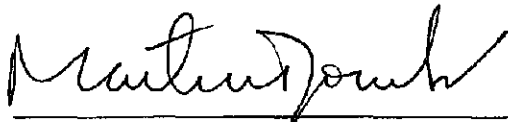
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Award 04-00711

Martin Domb, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Martin Domb, 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.



Martin Domb, Esq.

NOVEMBER 16, 2004
Signature Date

November 22, 2004
Date of Service (For NASD-DR office use only)