

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-01267

Robert L. Sengpiel Trust, Claimant v. NatCity Investments, Inc. and Van Kampen American Capital, Respondents

ATTORNEYS:

Claimant Robert L. Sengpiel Trust ("Claimant") appeared *pro se* through Robert L. Sengpiel, Bloomington, IL.

For Respondent NatCity Investments, Inc. appeared William P. Larkman, Esq., in-house counsel, NatCity Investments, Inc., Cleveland, OH.

For Respondent Van Kampen American Capital appeared Theresa C. Clarkson, Esq., in-house counsel, Morgan Stanley, Purchase, NY.

NATURE OF DISPUTE: Customer vs. Members.

DATE FILED: February 23, 2004.

CASE SUMMARY: Claimant alleged that Respondents placed him in an investment that was unsuitable to his needs and investment objectives. Claimant further alleged that Respondent misrepresented facts regarding the investment. Claimant's claim involved Van Kampen Prime Rate Income Trust.

Claim Data

Claim: \$9,844.36
Filing Fees: \$.00
Other: Unspecified

Award Data

Award: \$.00
Filing Fees: \$325.00
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The claims of Claimant are dismissed in their entirety. 2) All other relief requests are denied. 3) NASD Dispute Resolution shall retain the \$325.00 filing fee that the Claimant deposited previously. 6) Respondent is liable and shall pay Claimant \$325.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondents each have paid to NASD Dispute Resolution the \$325.00 Member Surcharge previously invoiced.

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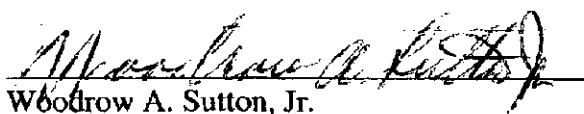
Woodrow A. Sutton, Jr.

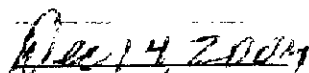
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Sole Public/Non-Public Arbitrator

AFFIRMATION

I, Woodrow A. Sutton, Jr., 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.


Woodrow A. Sutton, Jr.


Signature Date

December 28, 2004

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