

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-03888

Reva Sue Mosier, Claimant v. Morgan Stanley DW, Inc., Respondent

ATTORNEYS:

For Claimant Reva Sue Mosier ("Claimant") appeared William S. Bonnheim, Esq., of the firm William S. Bonnheim, PLC, Palm Desert, CA.

For Respondent Morgan Stanley DW, Inc. ("Respondent") appeared Mukya A. Porter, Esq., in-house counsel, previously Thomas V. Christopher, Esq., in-house counsel, Morgan Stanley DW, Inc., San Francisco, CA.

NATURE OF DISPUTE: Customer vs. Member.

DATE FILED: June 1, 2004.

CASE SUMMARY: Claimant alleged that Respondent placed her in investments that were unsuitable to her needs and investment objectives. Claimant further alleged that Respondent breached its fiduciary duty and failed to supervise its broker, was negligent, violated the State Securities Act, made false or misleading statements, and conducted fraudulent business practices against a disabled person. Claimant maintained that due to Respondent's actions, the account suffered losses. Claimant's claim involved mutual funds.

Claim Data

Claim: \$5,000.00
Lost Profits: Unspecified
Interest: Unspecified
Attorney Fees: Unspecified
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$.00
Lost Profits: \$.00
Interest: \$.00
Attorney Fees: \$.00
Filing Fees: \$.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 requests for lost profits are denied. 3) All requests for interest are denied. 4) All requests for attorney fees are denied. 5) All other relief requests are denied. 6) NASD Dispute Resolution shall retain the \$175.00 filing fee that the Claimant deposited previously.

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

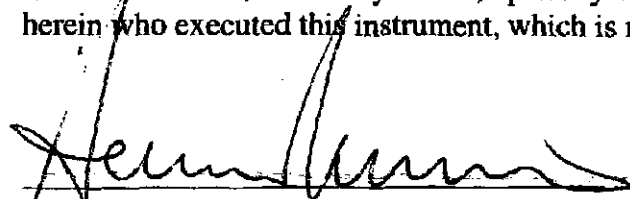
Page Two
Award 04-03888

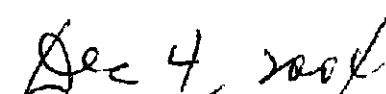
Herbert Murez

Sole Public Arbitrator

AFFIRMATION

I, Herbert Murez, 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.


Herbert Murez


Signature Date

December 15, 2004
Date of Service (For NASD-DR office use only)