

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

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CASE: 04-04282

Joseph Greenberger and Edith Greenberger, Claimants v. Morgan Stanley DW, Inc. and Melvin Freedman, Respondents

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**ATTORNEYS:**

Claimants Joseph Greenberger and Edith Greenberger (collectively "Claimants") appeared *pro se* through Joseph Greenberger, Hallandale, FL.

For Respondents Morgan Stanley DW, Inc. and Melvin Freedman (collectively "Respondents") appeared Doreen S. Young, Esq., in-house counsel, Morgan Stanley DW, Inc., Sarasota, FL.

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

**DATE FILED:** June 16, 2004.

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**CASE SUMMARY:** Claimants alleged that Respondents placed them in investments that were unsuitable for their age, needs, and investment objectives. Claimants maintained that due to Respondents' actions, their account suffered losses. Claimants' claim involved mutual funds.

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**Claim Data**

Claim: \$9,100.00  
Filing Fees: \$.00

**Award Data**

Award: \$9,100.00  
Filing Fees: \$325.00

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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) Respondent Morgan Stanley DW, Inc. is liable and shall pay Claimants \$6,825.00. 2) Respondent Melvin Freedman is liable and shall pay Claimants \$2,275.00. 3) All other relief requests are denied. 4) NASD Dispute Resolution shall retain the \$325.00 filing fee that the Claimants deposited previously. 5) Respondent Morgan Stanley DW, Inc. is liable and shall pay Claimants \$243.75 as reimbursement of 75% of the filing fee. 6) Respondent Melvin Freedman is liable and shall pay Claimants \$81.25 as reimbursement of 25% of the filing fee.

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**OTHER FEES:** Pursuant to Rule 10333 of the Code, Respondent Morgan Stanley DW, Inc. has paid to NASD Dispute Resolution the \$325.00 Member Surcharge previously invoiced.

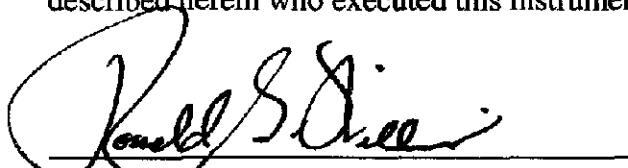
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Award 04-04282

Ronald Griffith Wilkins

Sole Public Arbitrator

AFFIRMATION

I, Ronald Griffith Wilkins, 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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Ronald Griffith Wilkins

12/7/2004  
Signature Date

December 16, 2004  
Date of Service (For NASD-DR office use only)