

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-07222

Joseph Cole and Laura Cole, Claimants v. Primerica Financial Services d/b/a PFS Investments, Inc., Respondent

ATTORNEYS:

For Claimants Joseph Cole and Laura Cole (collectively "Claimants") appeared Debra Brewer Hayes, Esq., of the firm Woska & Hayes, LLP, Kingwood, TX.

For Respondent Primerica Financial Services d/b/a PFS Investments, Inc. ("Respondent") appeared Marion H. Little, Jr., Esq., of the firm Zeiger, Tigges, Little & Lindsmith, LLP, Columbus, OH.

NATURE OF DISPUTE: Customers vs. Member.

DATE FILED: October 7, 2004.

CASE SUMMARY: Claimants alleged that Respondent was negligent and placed them in investments that were unsuitable for their needs and investment objectives. Claimants maintained that due to Respondent's actions, their accounts suffered financial losses. Claimants' claim involved variable annuities.

Claim Data

Claim: \$14,000.00
Punitive: Unspecified
Attorney Fees: Unspecified
Filing Fees: Unspecified

Award Data

Award: \$0.00
Punitive: \$0.00
Attorney Fees: \$0.00
Filing Fees: \$0.00

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 Claimants are dismissed in their entirety. 2) All requests for punitive damages 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 Claimants deposited previously.

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

Page Two
Award 04-07222

ARBITRATOR

Beryl A. Birndorf, Esq. - Sole Public Arbitrator

AFFIRMATION

I, Beryl A. Birndorf, Esq., do hereby affirm, upon my oath as a arbitrator that I am the individual described herein who executed this instrument, which is my oath and award.


Beryl A. Birndorf, Esq.

3/3/05
Signature Date

March 7, 2005
Date of Service (For NASD-DR office use only)