

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

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CASE: 04-07430

Jacqueline A. Roberts (Claimant) v. Nations Financial Group, Inc. and Bruce Feurig  
(Respondents)

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**ATTORNEYS:**

Claimant Jacqueline A. Roberts ("Claimant") appeared *pro se*, Neenah, WI.

For Respondents Nations Financial Group, Inc. and Bruce Feurig (collectively "Respondents")  
appeared William T. McCartan, Esq., of the firm Bradley & Riley, PC, Cedar Rapids, IA.

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

**DATE FILED:** October 22, 2004.

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**CASE SUMMARY:** Claimant alleged that Respondents placed her in unsuitable investments, inappropriate investment advice, misstatements and omissions, churning, misappropriation of funds, unauthorized transactions, improper executions, fraud or fraudulent concealment, breach of fiduciary duty, and failure to diversify. Claimant maintained that due to Respondents' actions, her account suffered losses. Claimant's claim involved shares of common stock and mutual funds.

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**ARBITRATOR'S REPORT:** Claimant moved to strike any and all exhibits and evidence submitted by Respondents and to bar Respondents from using all such exhibits and evidence on the ground that Respondents objected to her discovery requests made pursuant to Rule 10302(h) and as a consequence failed to provide the requested discovery. Claimant's discovery requests are extremely broad, well beyond the scope of discovery allowed in Simplified Arbitration. Despite Respondents' objection Claimant did not respond either by proposing a narrower document request tailored to the scope of her claims or by moving to compel discovery. Further, although Respondents did not produce any documents pursuant to the discovery request, it appears from the record that the parties have exchanged as exhibits to the pleadings the documents and account records necessary to support the claims and defenses. Under all of these circumstances Claimant has not established grounds for the relief she seeks and, accordingly, her motion is denied.

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**Claim Data**

Claim: \$24,400.00  
Interest: \$15,780.00  
Attorney Fees: \$14,763.00  
Costs: \$2,000.00  
Other: Unspecified

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**Award Data**

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

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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) The claims of Claimant are dismissed in their entirety. 2) All requests for attorney fees are denied. 3) All requests for interest are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant deposited previously.

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

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David J. Hase, Esq.

Sole Public Arbitrator

AFFIRMATION

I, David J. Hase, 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.

David J. Hase  
David J. Hase, Esq.

April 26, 2005  
Signature Date

May 2, 2005  
Date of Service (For NASD-DR office use only)