

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

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CASE: 04-07664

Valerie I. Nager (Claimant) v. Morgan Stanley DW, Inc. and Matthew Petty (Respondents)

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**ATTORNEYS:**

Claimant Valerie I. Nager ("Claimant") appeared *pro se*, Orlando, FL.

For Respondents Morgan Stanley DW, Inc. and Matthew Petty (collectively "Respondents") appeared Alexander McNeil, Esq., in-house counsel, Morgan Stanley DW, Inc., Purchase, NY.

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

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**DATE FILED:** October 30, 2004.

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**CASE SUMMARY:** Claimant alleged that Respondent Matthew Petty placed her in investments that were unsuitable to her needs and investment objectives. Claimant further alleged failure to supervise, negligence, omission of facts, breach of fiduciary duty, misrepresentation, and churning. Claimant maintained that due to Respondent's actions, her account suffered losses. Claimant's claim involved the Van Kampen Fund as well as other unspecified securities.

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**Claim Data**

Claim: \$11,015.00  
Punitive: \$13,985.00  
Filing Fees: \$0.00

**Award Data**

Award: \$8,000.00  
Punitive: \$.00  
Filing Fees: \$212.50

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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 against Respondent Matthew Petty are dismissed. 2) Respondent Morgan Stanley DW, Inc. is solely liable for and shall pay Claimant \$8,000.00. 3) All requests for punitive damages 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. 6) Respondent Morgan Stanley DW, Inc. is solely liable for and shall pay Claimant \$212.50 as reimbursement of one-half 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 \$425.00 Member Surcharge previously invoiced.

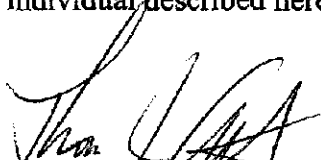
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Thomas Joseph Atkinson, Sr., J.D.

Sole Public Arbitrator

AFFIRMATION

I, Thomas Joseph Atkinson, Sr., J.D., 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.



Thomas Joseph Atkinson, Sr., J.D.

6-10-05

Signature Date

June 23, 2005

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