

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Allan Krouk (Claimant) vs. Prudential Securities, Inc. and Pruco Securities Corporation (Respondents)

Case Number: 05-01049

Hearing Site: New York, New York

Nature of the Dispute: Associated Person vs. Members

REPRESENTATION OF PARTIES

Claimant Allan Krouk hereinafter referred to as "Claimant": Joseph B. Koczko, Esq., Thompson Hine, LLP, New York, NY.

Respondents Prudential Securities, Inc. ("Prudential") and Pruco Securities Corporation ("Pruco") hereinafter collectively referred to as "Respondents": L. Lynnette Sarno, Esq., Seyfarth Shaw LLP, New York, NY.

CASE INFORMATION

Statement of Claim filed on or about: February 28, 2005.

Claimant signed the Uniform Submission Agreement: February 24, 2005.

Joint Statement of Answer filed by Respondents on or about: May 27, 2005.

Prudential signed the Uniform Submission Agreement: April 5, 2005.

Pruco did not sign the Uniform Submission Agreement.

CASE SUMMARY

Claimant asserted the following causes of action: defamation; libel; slander per se; misrepresentation; breach of contract; breach of fiduciary duty; lack of proper supervision, and violation of NASD rules.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimant requested unspecified compensatory damages, punitive damages, attorneys' fees, costs, interest, expungement and such other relief as the Panel may award.

Respondents requested that Claimant's claims be dismissed in their entirety; costs; expungement, and such other relief that the arbitration Panel deems fair and equitable.

OTHER ISSUES CONSIDERED AND DECIDED

Respondent Pruco did not file with NASD Dispute Resolution a properly executed Uniform Submission Agreement but is required to submit to arbitration pursuant to the Code and having answered the claim, is bound by the determination of the Panel on all issues submitted.

Respondents filed a Motion to Dismiss based upon the Statute of Limitations and Claimant filed its opposition to the Motion. The Panel having reviewed the parties' submissions and having heard oral argument on the Motion determined that the claim is time barred. The Panel found that Claimant failed to bring the action within the time permitted by the applicable Statute of Limitations.

AWARD

After considering the pleadings, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Claimant's claims are dismissed in their entirety.
2. Any and all relief not specifically addressed herein, including punitive damages, is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee	= \$ 250.00
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Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated persons at the time of the events giving rise to the dispute. Accordingly, Prudential Securities, Inc. and Pruco Securities Corporation are parties.

Member surcharge	= \$1,500.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$2,200.00

Forum Fees and Assessments

The Panel has assessed forum fees for each session conducted or each decision rendered on a discovery-related motion on the papers. A session is any meeting between the parties and the arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

Two (2) Pre-hearing sessions with Panel @ \$1,000.00 per session	= \$2,000.00
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Pre-hearing conferences: September 23, 2005	1 session
February 23, 2006	1 session
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Total Forum Fees	= \$2,000.00

1. The Panel has assessed \$1,000.00 of the forum fees against the Claimant.
2. The Panel has assessed \$1,000.00 of the forum fees jointly and severally against the Respondents.

Fee Summary

1. Claimant is liable for:

Initial Filing Fee	= \$ 250.00
Forum Fees	= \$ 1,000.00
<hr/> Total Fees	= \$ 1,250.00
<u>Less payments</u>	= \$ 1,250.00
Balance Due NASD Dispute Resolution	= \$ 0.00
2. Respondent Prudential is solely liable for:

Member Fees	= \$ 4,450.00
<hr/> Total Fees	= \$ 4,450.00
<u>Less payments</u>	= \$ 4,450.00
Balance Due NASD Dispute Resolution	= \$ 0.00
3. Respondent Pruco is solely liable for:

Member Fees	= \$ 4,450.00
<hr/> Total Fees	= \$ 4,450.00
<u>Less payments</u>	= \$ 4,450.00
Balance Due NASD Dispute Resolution	= \$ 0.00
4. Respondents are jointly and severally liable for:

Forum Fees	= \$ 1,000.00
<hr/> Total Fees	= \$ 1,000.00
<u>Less payments</u>	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$ 1,000.00

All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

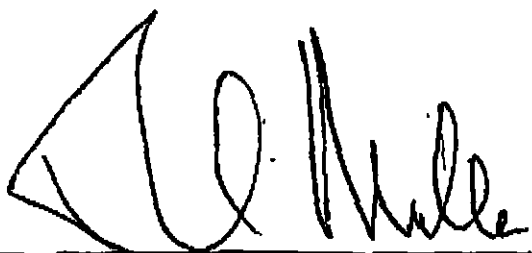
ARBITRATION PANEL

Mary Noe, J.D.	-	Public Arbitrator, Presiding Chairperson
Frank Muller	-	Public Arbitrator
Daniel S. Taub	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

Mary Noe, J.D.
Public Arbitrator, Presiding Chairperson

Signature Date



Frank Muller
Public Arbitrator

5/22/06

Signature Date

Daniel S. Taub
Non-Public Arbitrator

Signature Date

May 25, 2006

Date of Service (For NASD Dispute Resolution use only)

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