

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-01190

Michael John O'Krongly, (Claimant) vs. Morgan Stanley Dean Witter Inc., (Respondent)

ATTORNEYS:

Claimant appeared pro se, Waukesha, WI.

For Respondent appeared in-house counsel Christine A. Pham, Esq., Los Angeles, CA.

NATURE OF DISPUTE: Customer vs. Member

DATE FILED: March 3, 2005 ,

CASE SUMMARY: Claimant alleged that Respondent incorrectly charged him sales charges on his "A" shares, CDSC charges and additional expenses on his "B" shares. Claimant further alleged that Respondent omitted facts regarding these charges when he opened his account. Claimant maintained that due to Respondent's actions, he suffered financial losses. Claimant's claim involved various mutual funds.

Claim Data

Claim: \$6,137.00
Filing Fees: \$325.00

Award Data

Award: \$.00
Filing Fees: \$162.50

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 the Claimant are dismissed in their entirety. 2) All other relief requests are denied. 3) NASD Dispute Resolution shall retain the \$325.00 filing fee that the Claimant deposited previously. 4) Respondent is liable and shall pay Claimant \$162.50 as reimbursement of one half of the filing fee.

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

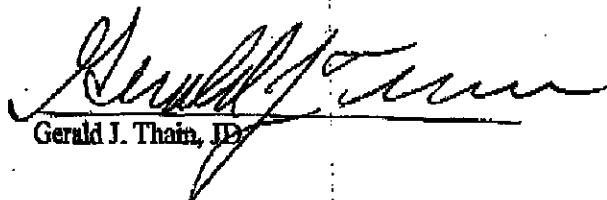
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Award 05-01190

Gerald J. Thain, JD

Sole Public Arbitrator

AFFIRMATION

I, Gerald J. Thain, JD, 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.


Gerald J. Thain, JD

Oct. 17, 2005
(Signature Date)

October 18, 2005
Date of Service (For NASD-DR office use only)