

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-01249

Calvin G. McDonald, (Claimant) vs. Morgan Stanley DW Inc., (Respondent)

ATTORNEYS:

Claimant appeared pro se, Warrenton, VA.

For Respondent appeared Michael D. Wallander, Esq., of the firm Greenberg Traurig, P.A., West Palm Beach, FL.

NATURE OF DISPUTE: Customer vs. Member

DATE FILED: March 7, 2005

CASE SUMMARY: Claimant alleged that Respondent failed to inform him at the time of purchase that "odd lot shares" of stock could not later be sold. Claimant further alleged negligence, misrepresentations and failure to execute. Claimant maintained that due to Respondent's actions, he suffered a loss. Claimant's claim involved "odd lot shares" of Eastern American Gas Stock.

ARBITRATOR'S REPORT: Respondent's Motion to Dismiss has been carefully reviewed and considered. Said Motion to Dismiss is denied.

Claim Data

Claim: \$800.00
Punitive: \$1,600.00
Interest: \$0.00

Filing Fees: \$75.00

Award Data

Award: \$800.00
Punitive: \$0.00
Interest: 10% per annum from
1/9/03-date of full payment of this
Award.
Filing Fees: \$75.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is liable and shall pay to the Claimant \$800.00. 2) All requests for punitive damages are denied. 3) Respondent is liable and shall pay Claimant interest at the rate of 10% per annum from January 9, 2003 until the date of full payment of this award. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$75.00 filing fee that the Claimant deposited previously. 6) Respondent is liable for and shall pay to Claimant \$75.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent has paid to NASD Dispute Resolution the \$150.00 Member Surcharge previously invoiced.

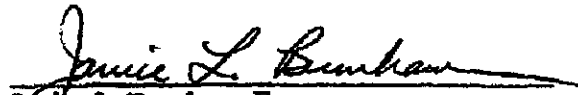
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Janice L. Burnham, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Janice L. Burnham, 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.


Janice L. Burnham, Esq.

8/1/05
(Signature Date)

August 1, 2005
Date of Service (For NASD-DR office use only)