

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Name of the Claimant

Case Number: 05-01632

Roger L. Hall

Name of the Respondent

Hearing Site: Charleston, West Virginia

Prudential Securities, Inc.

n/k/a Prudential Equity Group, LLC

Nature of the Dispute: Customer vs. Member

REPRESENTATION OF PARTIES

Claimant, Roger L. Hall, hereinafter referred to as "Claimant", was represented by Christopher L. Messina, Esq., SimmonsCooper, LLC, East Alton, Illinois.

Respondent, Prudential Securities, Inc. n/k/a Prudential Equity Group LLC, hereinafter referred to as "Respondent", was represented by Jeffrey L. Squires, Esq., Garvey Schubert Barber, Washington, DC.

CASE INFORMATION

Statement of Claim filed on March 28, 2005.

Claimant signed the Uniform Submission Agreement on February 14, 2005.

Statement of Answer filed by Respondent on July 7, 2005.

A representative of Respondent executed the Uniform Submission Agreement on April 29, 2005.

CASE SUMMARY

Claimant asserted the following causes of action, among others: failure to supervise, breach of fiduciary duty, breach of contract, breach of the Securities Exchange Act, violation of the West Virginia Uniform Securities Act, violation of the West Virginia Consumer Credit and Protection Act, violation of the Florida Securities and Investor Protection Act, and negligence. The causes of action relate to Class B mutual funds.

Unless specifically admitted in its Answer, Respondent Prudential denied the allegations made in the Statement of Claim and asserted the following defenses, among others: failure to state a claim upon which relief may be granted, unclean hands, statute of limitations, waiver and estoppel, any losses incurred were the result of claimant's choices and market forces, and failure to mitigate.

RELIEF REQUESTED

Claimant in his Statement of Claim requested compensatory damages of at least, \$845,783, attorney's fees, prejudgment interest, and such other and further relief as may be just and proper.

Respondent in its Statement of Answer requested dismissal of the Statement of Claim with prejudice and an award of attorney's fees and costs.

OTHER ISSUES CONSIDERED AND DECIDED

At the hearing, Respondent made a Motion to Dismiss. Following the hearing, the parties submitted post-hearing briefs on Respondent's Motion to Dismiss.

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, and the post-hearing submissions, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Respondent is liable and shall pay to Claimant compensatory damages in the amount of \$ 67,000.00
2. The parties shall bear their respective costs, including attorneys' fees, except as Fees are specifically addressed below; and
3. Any and all relief not specifically addressed herein, including punitive damages, is denied in its entirety.

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	= \$	375.00
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Member Fees

Total Fees	= \$	18,450.00
<u>Less payments</u>	= \$	<u>7,000.00</u>
Balance Due NASD Dispute Resolution	= \$	11,450.00

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

ARBITRATION PANEL

Marvin P. Pastel	-	Public Arbitrator, Presiding Chairperson
Arthur B. O'Connell	-	Public Arbitrator, Panelist
William C. Boinest	-	Non-Public Arbitrator, Panelist

Concurring Arbitrators' Signatures

Marvin P. Pastel

Marvin P. Pastel
Public Arbitrator, Presiding Chairperson

13 June 2006
Signature Date

Arthur B. O'Connell
Public Arbitrator, Panelist

Signature Date

William C. Boines
Non-Public Arbitrator, Panelist

Signature Date

June 20, 2006

Date of Service (For NASD Dispute Resolution office use only)

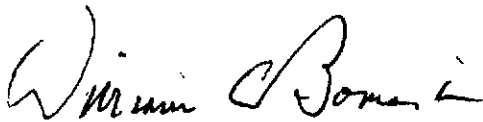
Concurring Arbitrators' Signatures

Marvin P. Pastel
Public Arbitrator, Presiding Chairperson

Signature Date

Arthur B. O'Connell
Public Arbitrator, Panelist

Signature Date



William C. Boines
Non-Public Arbitrator, Panelist

6.13.06
Signature Date

June 20, 2006
Date of Service (For NASD Dispute Resolution office use only)

Concurring Arbitrators' Signatures

Marvin P. Pastel
Public Arbitrator, Presiding Chairperson

Signature Date



Arthur B. O'Connell
Public Arbitrator, Panelist

June 19, 2006

Signature Date

William C. Boines
Non-Public Arbitrator, Panelist

Signature Date

June 20, 2006

Date of Service (For NASD Dispute Resolution office use only)