

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

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CASE: 05-02433

John F. Koningh, (Claimant) vs. Bear Stearns & Co., Inc., (Respondent)

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**ATTORNEYS:**

Claimant appeared pro se, Newport Beach, CA.

For Respondent appeared in-house counsel Jose L. Santos, Esq., New York, NY.

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**NATURE OF DISPUTE:** Customer vs. Member

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**DATE FILED:** May 2, 2005

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**CASE SUMMARY:** Claimant alleged that Respondent breached its fiduciary duty by placing him in investments that were unsuitable for his needs and by misrepresenting facts regarding these investments. Claimant further alleged failure to supervise, negligence, breach of contract, churning and unauthorized trading. Claimant maintained that due to Respondent's actions, he suffered a financial loss. Claimant's claim involved various common stock, mutual funds and corporate bonds.

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**Claim Data**

Claim: \$22,833.00  
Interest: Unspecified  
Filing Fees: \$425.00  
Other: \$660.00

**Award Data**

Award: \$7,000.00  
Interest: \$.00  
Filing Fees: \$425.00  
Other: \$.00

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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) Respondent is liable and shall pay to the Claimant \$7,000.00. 2) All requests for interest are denied. 3) All other relief requests are denied. 4) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant deposited previously. 5) Respondent is liable and shall pay Claimant \$425.00 as reimbursement of the filing fee.

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**OTHER FEES:** Pursuant to Rule 10333 of the Code, Respondent has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

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Award 05-02433

Suzanne Viau Chamberlain

Sole Public Arbitrator

AFFIRMATION

I, Suzanne Viau Chamberlain, 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.

  
Suzanne Viau Chamberlain

  
(Signature Date)

DECEMBER 15, 2005  
Date of Service (For NASD-DR office use only)