

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-03305

Joseph DiMola, (Claimant) vs. Morgan Stanley DW Inc., Kathleen Marie Reese and Frank Valanzola, (Respondents)

ATTORNEYS:

Claimant appeared pro se, Whitehouse Station, NJ.

For Respondents appeared in-house counsel, Amy DePippo, Esq., Purchase, NY.

NATURE OF DISPUTE: Customer v. Member and Associated Persons

DATE FILED: June 23, 2005

CASE SUMMARY: Claimant alleged that Respondents misrepresented and omitted material facts regarding his investments. Claimant maintained that due to Respondents' actions, he suffered a financial loss. Claimant's claim involved common stock, corporate bonds and mutual funds.

Claim Data

Claim: \$.5,000.00
Punitive: \$20,000.00
Filing Fees: \$.00

Award Data

Award: \$.00
Punitive: \$.00
Filing Fees: \$425.00

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 requests for punitive damages 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 Morgan Stanley DW Inc. is solely liable and shall pay Claimant \$425.00 as reimbursement of the filing fee. 6) The Arbitrator recommends the expungement of all reference to the above captioned arbitration from Respondent Frank Valanzola's registration records maintained by the Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notices to Members 04-16, Respondent Frank Valanzola must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive. Unless specifically waived in writing by the NASD, parties seeking judicial confirmation of an arbitration award containing expungement relief must name NASD as an additional party and serve NASD with all appropriate documents. Pursuant to Rule 2130 of the NASD Code of Arbitration Procedure, the arbitration panel has made the following affirmative findings of fact: The claim, allegation, or information is false.

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

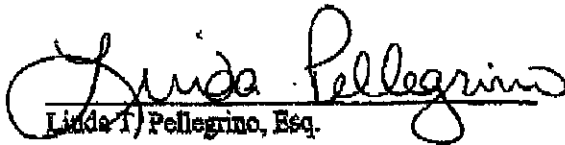
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Award 05-03305

Linda T. Pellegrino, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Linda T. Pellegrino, 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.


Linda T. Pellegrino, Esq.

10/25/05
(Signature Date)

OCTOBER 26, 2005
Date of Service (For NASD-DR office use only)