

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Ruth E. Watkins (Claimant) vs. Edward D. Jones & Co., and Bob Bedinghaus (Respondents)

Case Number: 05-04687

Hearing Site: Cincinnati, Ohio

Nature of the Dispute: Customer vs. Member and Associated Person.

REPRESENTATION OF PARTIES

Claimant Ruth E. Watkins hereinafter referred to as "Claimant" appeared *pro se*.

Respondents Edward D. Jones & Co. ("Edward Jones") and Bob Bedinghaus ("Bedinghaus") hereinafter collectively referred to as "Respondents": Trae D. Meyr, Esq., Greensfelder, Hemker & Gale, P.C., St. Louis, MO.

CASE INFORMATION

Statement of Claim filed on or about: September 8, 2005.

Claimant signed the Uniform Submission Agreement: September 1, 2005.

Joint Statement of Answer filed by Respondents on or about: November 3, 2005.

Respondent Edward Jones signed the Uniform Submission Agreement: August 13, 2005.

Respondent Bedinghaus signed the Uniform Submission Agreement: September 26, 2005.

CASE SUMMARY

Claimant asserted the following causes of action: breach of fiduciary duty, omission of facts, charges and suitability. The causes of action relate to unspecified mutual funds.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$10,000.00 and costs.

Respondents requested that Claimant's claims be dismissed in its entirety.

OTHER ISSUES CONSIDERED AND DECIDED

At the hearing on this matter, Respondents made an oral motion for a Directed Verdict, after due deliberation, the Arbitrator denied the motion.

Respondent Bedinghaus made a motion requesting expungement of his CRD record, after due deliberation, the Arbitrator granted the motion.

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

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

1. Claimant's claims are dismissed in their entirety.
2. The Arbitrator recommends the expungement of all reference to the above captioned arbitration from Respondent Bob Bedinghaus' registration records maintained by the Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notice to Members 04-16, Respondent Bob Bedinghaus 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, the Arbitrator has made the following affirmative findings of fact:

The claim, allegation, or information is clearly erroneous.

3. Any and all relief not specifically addressed herein, is denied.

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 = \$ 75.00

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the events giving rise to the dispute. Accordingly, Edward D. Jones & Co. is a party.

Member surcharge = \$ 325.00

Forum Fees and Assessments

The Arbitrator has assessed forum fees for each session conducted or each decision rendered on a discovery-related motion on the papers. A session is any meeting between the parties and the arbitrator, including a pre-hearing conference with the arbitrator, that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with a single arbitrator @ \$250.00	= \$ 250.00
Pre-hearing conference: January 1, 2006 1 session	
Two (2) Hearing sessions @ \$250.00	= \$ 500.00
Hearing Date: April 5, 2005 2 sessions	
Total Forum Fees	= \$ 750.00

1. The Arbitrator has assessed \$750.00 of the forum fees to Claimant.

Fee Summary

1. Claimant is solely liable for:

Initial Filing Fee	= \$ 75.00
<u>Forum Fees</u>	= \$ 750.00
Total Fees	= \$ 825.00
<u>Less payments</u>	= \$ 325.00
Balance Due NASD Dispute Resolution	= \$ 500.00

2. Respondent Edward Jones is solely liable for:

<u>Member Fees</u>	= \$ 325.00
Total Fees	= \$ 325.00
<u>Less payments</u>	= \$ 325.00
Balance Due NASD Dispute Resolution	= \$ 0.00

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

ARBITRATION PANEL

Neal D. Baker, Esq.

- Sole Public Arbitrator

Arbitrator's Signature

Neal D. Baker

Neal D. Baker, Esq.
Public Arbitrator

5-1-06

Signature Date

May 2, 2006
Date of Service (For NASD Dispute Resolution use only)