

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

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CASE: 05-05248

Toni L. Weisel, (Claimant) vs. Warren William Schliiter and KMS Financial Services, Inc.  
(Respondents)

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**ATTORNEYS:**

Claimant appeared *pro se*, Portland, OR.

For Respondents appeared in-house counsel Eric S. Westberg, Esq., Seattle, WA.

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**NATURE OF DISPUTE:** Customer v. Member and Associated Person

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**DATE FILED:** October 6, 2005

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**CASE SUMMARY:** Claimant alleged that Respondents made unauthorized trades in her account. Claimant further alleged breach of contract, failure to supervise and breach of fiduciary duty. Claimant maintained that due to Respondents' actions, she suffered a financial loss. Claimant's claim involved various common stock.

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**Claim Data**

Claim: \$19,285.27  
Filing Fees: \$575.00  
Other: Unspecified

**Award Data**

Award: \$.00  
Filing Fees: \$.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) The claims of the Claimant are dismissed in their entirety. 2) All other relief requests are denied. 3) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant deposited previously.

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

Page Two  
Award 05-05248

Joseph C. Arellano

Sole Public Arbitrator

AFFIRMATION

I, Joseph C. Arellano, 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.

  
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Joseph C. Arellano

2/21/06  
(Signature Date)

**February 21, 2006**

Date of Service (For NASD-DR office use only)