

Award
NASD Dispute Resolution

COPY

In the Matter of the Arbitration Between:

Helen Ann Duffy, Claimant v. SunAmerica Securities, Inc., Respondent

Case Number: 05-05901

Hearing Site: Phoenix, Arizona

Nature of the Dispute: Customer v. Member

REPRESENTATION OF PARTIES

For Claimant:

Mark J. Michaud, Esq.
The Michaud Law Group, LLC
Eagle, Idaho

For Respondent:

Jason C. Roberts Esq.
Law Offices of Edgerton &
Weaver
Hermosa Beach, California

CASE INFORMATION

Statement of Claim filed: November 18, 2005

Claimant's Uniform Submission Agreement signed: October 31, 2005

Statement of Answer filed by Respondent: March 10, 2006

Respondent's Uniform Submission Agreement signed: April 11, 2006

CASE SUMMARY

Claimant alleged unsuitability, negligence, breach of fiduciary duty, and failure to supervise. Claimant's allegations involved investments in Class B Van Kampen Aggressive Growth Mutual Fund, Alliance Technology Fund, Delaware Technology and Innovation Fund, Munder Net Fund, Global Star, Telecommunications, Broadcom, Brocade Communications, Valance Technology, JDS Uniphase, Qualcomm, and short term call options.

Respondent denied the allegations of wrongdoing set forth in the Claimant's Statement of Claim and set for the various affirmative defenses.

RELIEF REQUESTED

Claimant requested \$175,981.00 in compensatory damages, pre- and post-judgment interest and costs, including attorney's fees.

Respondent requested dismissal of the Claimant's Statement of Claim in its entirety, that forum fees be assessed to the Claimant, reimbursement of member surcharges, and costs, including attorney's fees.

OTHER ISSUES CONSIDERED AND DECIDED

On or about June 1, 2006, Respondent moved the Panel to issue an Order dismissing the Statement of Claim on the ground that Claimant's claims are governed by two-year statutes of limitations and Claimant's claims are therefore time barred. On July 17, 2006, after the Parties fully briefed the statute of limitations question, a telephonic pre-hearing conference was held, attended by the Parties and the Panel. After due deliberation in an executive session, the Panel granted Respondent's motion to dismiss on the ground that Claimant's claims are barred by the governing statutes of limitation.

The Panel 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 Respondent's Motion to Dismiss, the Panel decided in full and final resolution of the issues submitted for determination as follows:

- 1) Claimant's claims are dismissed in their entirety, with prejudice.
- 2) The parties shall bear their respective costs, including attorney's fees.
- 3) Any and all other relief requested, including punitive damages, and not expressly granted is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution received or will collect the non-refundable filing fees for each claim as follows:

Initial claim filing fee	= \$ 300.00
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Member Fees

Member fees are assessed to each member firm that is either a party in the matter or an employer of a respondent associated person at the time of the events that gave rise to the dispute, claim, or controversy. Accordingly, the member firm SunAmerica Securities Inc. is a party and the following fees are assessed:

Member Surcharge	= \$ 1,700.00
Pre-Hearing Process Fee	= \$ 750.00
Hearing Process Fee	= \$ 2,750.00
Total Member Fees	= \$ 5,200.00

Forum Fees and Assessments

The Panel 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 arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

(2) Pre-hearing conference sessions with the Panel @ \$1,125.00/session	= \$2,250.00
Pre-hearing conferences: May 15, 2006	1 session
July 17, 2006	1 session

Total Forum Fees	= \$ 2,250.00
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1. The Panel assessed \$1,125.00 of the forum fees to Claimant.
2. The Panel assessed \$1,125.00 of the forum fees to Respondent.

Fee Summary

1. Claimant is charged with the following fees and costs:

Initial Filing Fee	= \$ 300.00
Forum Fees	= \$ 1,125.00
Total Fees	= \$ 1,425.00
Less payments	= \$(1,425.00)
Balance Due NASD Dispute Resolution	= \$ 0.00

2. Respondent is charged with the following fees and costs:

Member Fees	= \$ 5,200.00
Forum Fees	= \$ 1,125.00
Total Fees	= \$ 6,325.00
Less payments	= \$(5,200.00)
Balance Due NASD Dispute Resolution	= \$ 1,125.00

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

ARBITRATION PANEL

Marc Kalish	-	Public Arbitrator, Presiding Chair
S. Jeffrey Minker, Esq.	-	Public Arbitrator
Frederick B. Mueller	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

Marc Kalish
Chair, Public Arbitrator

July 20, 2006
Signature Date



Jeffrey Minker
Public Arbitrator

July 23, 2006

Signature Date

Frederick B. Mueller
Non-Public Arbitrator

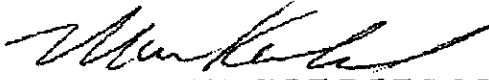
Signature Date

7/24/06
Date of Service

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Marc Kalish	-	Public Arbitrator, Presiding Chair
S. Jeffrey Minker, Esq.	-	Public Arbitrator
Frederick B. Mueller	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures



Marc Kalish
Chair, Public Arbitrator

July 20, 2006
Signature Date

S. Jeffrey Minker, Esq.
Public Arbitrator

Signature Date



Frederick B. Mueller
Non-Public Arbitrator

7-21-06
Signature Date

7/24/06
Date of Service