

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Alice Chamois (Claimant) vs. Yannick Jeanmarc Bastien (Respondent)

Case Number: 06-00369

Hearing Site: New York, New York

Nature of the Dispute: Customer vs. Associated Person

REPRESENTATION OF PARTIES

Claimant Alice Chamois hereinafter referred to as "Claimant" appeared *pro-se*.

Respondent Yannick Jeanmarc Bastien hereinafter referred to as "Respondent":
Virginia T. Shea, Esq., and Michael J. Zaretsky, Esq., Chorpenning, Good, Carlet &
Garrison, New York, NY.

CASE INFORMATION

Statement of Claim filed on or about: January 23, 2006.
Claimant signed the Uniform Submission Agreement: February 6, 2006.

Statement of Answer filed by Respondent on or about: April 5, 2006:
Respondent did not submit a Uniform Submission Agreement.

CASE SUMMARY

Claimant asserted the following causes of action: misrepresentations, suitability, negligence, and breach of fiduciary duty. The causes of action relate to Genome and JDS Uniphase stocks.

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

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$50,000.00.

Respondent requested dismissal of the Statement of Claim in its entirety with prejudice, costs, fees, and attorneys' fees.

OTHER ISSUES CONSIDERED AND DECIDED

Respondent Yannick did not file with NASD Dispute Resolution a properly executed Uniform Submission Agreement but is required to submit to arbitration pursuant to the Code and having answered the claim, appeared and testified at the hearing, is bound by the determination of the Arbitrator on all issues submitted.

During the hearing Respondent Moved to Dismiss Claimant's claims as they relate to the JDS Uniphase transactions. The Arbitrator heard oral arguments on the Motion to Dismiss. After due deliberation, the Arbitrator granted Respondent's Motion to Dismiss and cited NASD Code of Arbitration Procedure Rule 10301(d)(2) as the basis for the decision.

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. 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	= \$ 175.00
--------------------------	-------------

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, Ameriprise Financial Services is the Respondent's former firm.

Member surcharge	= \$ 875.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$ 1,000.00

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 single arbitrator @ \$450.00 /session	= \$ 450.00
--	-------------

Pre-hearing conferences: June 5, 2006

1 session

Two (2) Hearing sessions with single arbitrator @ \$450.00/session = \$ 900.00

Hearing Date: September 18, 2006 2 sessions

Total Forum Fees = \$ 1,350.00

1. The Arbitrator has assessed \$1,350.00 of the forum fees against Respondent.

Fee Summary

1. Claimant is solely liable for:

Initial Filing Fee = \$ 175.00

Total Fees = \$ 175.00

Less payments = \$ 775.00

Refund Due Claimant = \$ 600.00

2. Respondent is solely liable for:

Forum Fees = \$ 1,350.00

Total Fees = \$ 1,350.00

Less payments = \$ 0.00

Balance Due NASD Dispute Resolution = \$ 1,350.00

3. Ameriprise Financial Services is solely liable for:

Member Fees = \$ 2,625.00

Total Fees = \$ 2,625.00

Less payments = \$ 2,625.00

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.


ARBITRATOR

Gerry E. Feinberg, Esq. -

Sole Public Arbitrator

Arbitrator's Signature

I, the undersigned arbitrator, do hereby affirm, pursuant to Article 7507 of the Civil Practice Law and Rules, that I am the individual described herein and who executed this instrument, which is my award.



Gerry E. Feinberg, Esq.
Sole Public Arbitrator

9/27/06

Signature Date

September 28, 2006

Date of Service (For NASD Dispute Resolution use only)