

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 06-01398

James R. Groner, (Claimant) vs. Morgan Stanley DW, Inc., (Respondent)

ATTORNEYS:

For Claimant appeared George W. Healy, IV, Esq., of the firm George W. Healy, IV & Associates, Gulfport, MS.

For Respondent appeared in-house counsel Roderick Chin, Esq., Purchase, NY.

NATURE OF DISPUTE: Customer vs. Member

DATE FILED: March 16, 2006

CASE SUMMARY: Claimant alleged that Respondent breached its fiduciary duty by placing him in investments that were unsuitable for his needs and misrepresenting facts regarding these investments. Claimant further alleged failure to supervise, aiding and abetting, negligence, failure to disclose commissions and fees, failure to diversify and fraud. Claimant maintained that due to Respondent's actions, he suffered a financial loss. Claimant's claim involved common stock and mutual funds.

ARBITRATOR'S REPORT: Case was determined on the merits; it was not dismissed because of being barred by statutes of limitations.

Claim Data

Claim: \$25,000.00
Interest: Unspecified
Punitive: Unspecified
Filing Fees: Unspecified

Award Data

Award: \$.00
Interest: \$.00
Punitive: \$.00
Filing Fees: \$212.50

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 interest are denied. 3) All requests for punitive damages are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant deposited previously. 6) Respondent is liable and shall pay Claimant \$212.50 as reimbursement of one half of the filing fee.

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

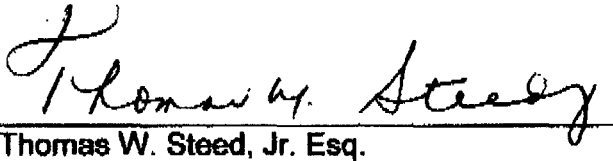
Page Two
Award 06-01398

Thomas W. Steed, Jr. Esq.

Sole Public Arbitrator

AFFIRMATION

I, Thomas W. Steed, Jr. 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.


Thomas W. Steed, Jr. Esq.

10/27/06
(Signature Date)

October 31, 2006
Date of Service (For NASD-DR office use only)