

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

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CASE: 06-01792

Harian Parten, (Claimant) vs. Gardner Financial Services, Inc. and Thomas Stoltman, (Respondents)

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**ATTORNEYS:**

For Claimant appeared Gayle Spiess, Little Canada, MN.

For Respondents appeared Richard A. Lind, Esq., of the firm Lind Jensen Sullivan Peterson, Minneapolis, MN.

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

**DATE FILED:** April 6, 2006

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**CASE SUMMARY:** Claimant alleged that Respondents breached a contract and placed him in investments that were unsuitable for his needs. Claimant further alleged breach of fiduciary duty and failure to supervise. Claimant maintained that due to Respondents' actions, he suffered a financial loss. Claimant's claim involved annuities.

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**Claim Data**

Claim: \$25,000.00  
Filing Fees: \$.00

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**Award Data**

Award: \$.00  
Filing Fees: \$425.00

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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. 4) Respondents are jointly and severally liable and shall pay Claimant \$425.00 as reimbursement of the filing fee.

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

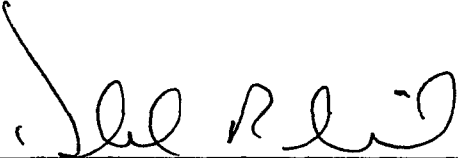
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Award 06-01792

Donald Ray McNeil

Sole Public Arbitrator

AFFIRMATION

I, Donald Ray McNeil, 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.

  
\_\_\_\_\_  
Donald Ray McNeil

9/8/06  
\_\_\_\_\_  
(Signature Date)

September 12, 2006  
\_\_\_\_\_  
Date of Service (For NASD-DR office use only)