
Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Name of the Claimant
James M. Tarsy

Case Number: 06-02575

Names of the Respondents
Bear, Stearns & Co., Inc.
James Michael Hubbert

Hearing Site: Tampa, Florida

Nature of the Dispute: Associated Person vs. Member and Associated Person.

REPRESENTATION OF PARTIES

Claimant James M. Tarsy ("Tarsy") appeared pro se.

For Bear, Stearns & Co., Inc. ("Bear Stearns") and James Michael Hubbert ("Hubbert"), hereinafter collectively referred to as "Respondents": Melissa Devack, Esq. and Gene Small, Esq., Bear, Stearns & Co., Inc., New York, New York.

CASE INFORMATION

Statement of Claim filed on or about: May 25, 2006.

Claimant signed the Uniform Submission Agreement: May 22, 2006.

Answer to Statement of Claim filed by Respondents on or about: July 21, 2006.

Respondent Bear Stearns signed the Uniform Submission Agreement: July 20, 2006.

Respondent Hubbert signed the Uniform Submission Agreement: July 18, 2006.

CASE SUMMARY

Claimant asserted that Respondents should share in the financial loss sustained by Claimant due to a failure to supervise. The cause of action relates to Claimant's purchase of unspecified stock for his client and the subsequent loss sustained by Claimant as a result of the investment.

RELIEF REQUESTED

Claimant requested the following: 1) compensatory damages of \$4,186.92; 2) costs; and 3) other and further relief.

Respondents requested the following: 1) that Claimant's Statement of Claim be denied; 2) that Respondents be awarded costs; and 3) that Respondent Hubbert be dismissed from the arbitration proceeding.

OTHER ISSUES CONSIDERED AND DECIDED

On or about September 6, 2006, Respondents made an ore tenus Motion to Dismiss Respondent Hubbert from the above referenced arbitration proceeding. On or about September 6, 2006, the Arbitrator entered an order granting Claimant's Motion to Dismiss Respondent Hubbert, with prejudice.

The parties agreed that the Award in this matter may be executed in counterpart copies.

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. Respondent Bear Stearns is liable on the claim of failure to supervise and shall pay to Claimant compensatory damages in the amount of \$688.91.
2. Claimant's claims against Respondent Hubbert are dismissed, with prejudice.
3. Any and all other claims for relief not specifically addressed herein are denied.

FEES

Pursuant to the NASD Code of Arbitration Procedure (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 = \$ 50.00

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. Accordingly, Respondent Bear Stearns is a member firm and a party.

Member surcharge	= \$ 200.00
Total Member Fees	= \$ 200.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

No adjournments were requested in this matter.

Injunctive Relief Fees

Injunctive relief fees are assessed to each member or associated person who files for a temporary injunction in court. Parties in these cases are also assessed arbitrator travel expenses and costs

when an arbitrator is required to travel outside his or her hearing location and additional arbitrator honoraria for the hearing for permanent injunction. These fees, except the injunctive relief surcharge, are assessed equally against each party unless otherwise directed by the Panel.

Injunctive relief fees were not assessed in this matter.

Three-Day Cancellation Fees

Fees apply when a hearing on the merits is postponed or settled within three business days before the start of a scheduled hearing session.

No three-day cancellation fees were assessed in this matter.

Forum Fees and Assessments

The Arbitrator has assessed forum fees for each session conducted. 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 the Arbitrator @ \$125.00/session	= \$ 125.00
Pre-hearing conference: September 6, 2006 1 session	
Two (2) Hearing sessions @ \$125.00/session	= \$ 250.00
Hearing sessions: December 5, 2006 2 sessions	
<hr/> Total Forum Fees	<hr/> = \$ 375.00

The Arbitrator has assessed forum fees in the amount of \$187.50 to Claimant.

The Arbitrator has assessed forum fees in the amount of \$187.50 to Respondent Bear Stearns.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but are not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

There were no administrative costs incurred in this matter.

Fee Summary

Claimant is solely liable for:

Initial Filing Fee	= \$ 50.00
Forum Fees	= \$ 187.50
<hr/> Total Fees	<hr/> = \$ 237.50
Less Payments	= \$ 175.00
<hr/> Balance Due NASD Dispute Resolution	<hr/> = \$ 62.50

Respondent Bear Stearns is solely liable for:

Member Fees	= \$ 200.00
Forum Fees	= \$ 187.50
Total Fees	= \$ 387.50
Less Payments	= \$ 200.00
Balance Due NASD Dispute Resolution	= \$ 187.50

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

ARBITRATION PANEL

David Walby

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Non-Public Arbitrator

Arbitrator's Signature

_____/s/_____
David Walby
Non-Public Arbitrator

December 7, 2006
Signature Date

December 7, 2006
Date of Service (For NASD Dispute Resolution office use only)

Respondent Bear Stearns is solely liable for:

Member Fees	= \$ 200.00
Forum Fees	= \$ 187.50
Total Fees	= \$ 387.50
Less Payments	= \$ 200.00
Balance Due NASD Dispute Resolution	= \$ 187.50

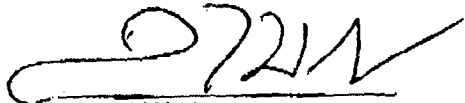
All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

David Walby

Non-Public Arbitrator

Arbitrator's Signature



David Walby
Non-Public Arbitrator

12/7/2006

Signature/Date

Date of Service (For NASD Dispute Resolution office use only)