

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

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CASE: 06-02643

Liliana Bravo, (Claimant) vs. Guido Jorge Alvarez and Morgan Stanley DW, Inc.,  
(Respondents)

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**ATTORNEYS:**

For Claimant appeared Richard S. Frankowski, Esq., of the firm Whatley Drake, LLC,  
Birmingham, AL.

For Respondents appeared in-house counsel Jeffrey Wade, Esq., Purchase, NY.

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

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**DATE FILED:** May 30, 2006

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**CASE SUMMARY:** Claimant alleged that Respondents negligently handled her account by placing her in investments that were unsuitable for her needs and misrepresenting facts regarding these investments. Claimant further alleged breach of fiduciary duty, failure to supervise and breach of contract. Claimant maintained that due to Respondents' actions, she suffered a financial loss. Claimant's claim involved common stock and mutual funds.

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**Claim Data**

Claim: \$25,000.00  
Attorney Fees: Unspecified  
Filing Fees: Unspecified  
Other: Unspecified

**Award Data**

Award: \$25,000.00  
Attorney Fees: \$.00  
Filing Fees: \$212.50  
Other: \$.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) Respondents are jointly and severally liable and shall pay to the Claimant \$25,000.00. 2) All requests for attorney fees are denied. 3) All other relief requests are denied. 4) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant deposited previously. 5) Respondent Guido Jorge Alvarez is liable and shall pay Claimant \$106.25 as reimbursement of 25% of the filing fee. 6) Respondent Morgan Stanley DW, Inc. is liable and shall pay Claimant \$106.25 as reimbursement of 25% of the filing fee. 7) Respondent Guido Jorge Alvarez's request for expungement is denied.

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

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Award 06-02643

Thomas Anthony Van Tiem, Sr.

Sole Public Arbitrator

AFFIRMATION

I, Thomas Anthony Van Tiem, Sr., 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 A. Van Tiem Sr.

Thomas Anthony Van Tiem, Sr.

12-12-06

(Signature Date)

December 13, 2006

Date of Service (For NASD-DR office use only)