

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

William R. and Mary K. Hy-Des

Claimant(s)

vs.

First Investors Corp.

Respondent(s)

NOTICE OF ARBITRATION

AWARD

88-02998

CASE SUMMARY

Claimants William R. and Mary K. Hy-Des alleged that Respondent First Investors Corp. misrepresented the risks involved with investing the First Investors Government Fund. Respondents maintain that the Claimants were notified of the risk involved by the Respondent's Registered Representative and in addition the Claimants received a prospectus before purchase which clearly describes the Fund, its objective, the risks involved, and sales charges, etc.

RELIEF REQUESTED

Claimants William R. and Mary K. Hy-Des requested damages of \$1,939.29, the difference between actual purchase price of the fund (\$25,000.00 on March 28, 1988) and the sales price (\$23,060.71 on July 11, 1988). Respondents requested dismissal of claim and costs.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, Harold Berman, was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimants on November 30, 1988 and by Respondents on January 12, 1989. The Arbitrator, having considered the proofs of the parties, has determined in full and final resolution of the issue submitted for determination as follows:

that the claim against the Respondents shall be dismissed in its entirety.

The parties shall each bear their respective costs including attorney's fees.

The \$25.00 filing fee previously deposited with the NASD, Inc. by the Claimants shall be retained by the NASD for administrative costs of this proceeding.

June 16, 1989