

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Dr. Kam-Cheung TSOI, KA

Claimant(s)

vs.

David L. Jacobs of Mutual Benefit  
Financial Service Company

Respondent(s)

NOTICE OF ARBITRATION

AWARD

88-03254

CASE SUMMARY

Claimant Dr. Kam-Cheung TSOI alleged that Respondent David L. Jacobs of Mutual Benefit Financial Service Company misrepresented the risks and other material facts involved with the investment in the Lord Abbett U.S. Government Security Mutual Fund. Respondents maintain that the Investment chosen was agreed by all parties to be suitable for the claimants goals and purposes.

RELIEF REQUESTED

Claimant Dr. Kam-Cheung TSOI requested damages of \$2,965.54. 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, William Zysk, was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on October 17, 1988. The Arbitrator, having considered the proofs of the parties, has determined in full and final resolution of the issue submitted for determination as follows:

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

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

The \$100.00 filing fee previously deposited with the NASD, Inc. by the Claimant shall be retained by the NASD for administrative costs of this proceeding.

July 6, 1989

88-03257

C H E C K L I S T

Note: Fill out only those sections which apply to this particular case:

- 1) Find for the Claimant  
(a) total amount of the award: \$ 0  
(b) if two or more respondents are liable:  
(1) joint and severally liable: yes \_\_\_\_\_ no \_\_\_\_\_  
(2) if respondents separately liable  
list party and the amounts: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 2) Case Dismissed ✓
- 3) Counterclaim of Respondent  
(a) total amount of award: \$ \_\_\_\_\_  
(b) party to receive award: \_\_\_\_\_  
(c) counterclaim dismissed: \_\_\_\_\_
- 4) Punitive Damages  
(a) total amount \$ \_\_\_\_\_  
(b) name parties against whom damages are to be  
assessed and in what amounts: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(c) claim dismissed: \_\_\_\_\_
- 5) NASD Fee  
(a) assessed against Claimant  
(b) assessed against Respondent ✓
- 6) Use this space to expand or clarify any part of the  
decision above or to indicate other forms of specific  
relief.

SECRET

Affirmation

STATE OF

} SS:  
}

COUNTY OF

I, William Zisk, do hereby affirm upon my oath  
as arbitrator that I am the individual described in and who  
executed this instrument, which is my oath and award.

8/9/89  
(DATE)

[Signature]  
(SIGNATURE OF ARBITRATOR)