

**NATIONAL ASSOCIATION OF SECURITIES DEALERS**

**In the Matter of the Arbitration Between**

**Harold Rosen and  
Beatrice Rosen**

**Claimant(s)**

**vs.**

**Dean Witter Reynolds  
and Peter Patterson**

**Respondent(s)**

**NOTICE OF ARBITRATION  
AWARD  
88-03475**

**CASE SUMMARY**

Claimant(s) Harold Rosen and Beatrice Rosen alleged that Respondent(s) Dean Witter Reynolds and Peter Patterson incorrectly charged a redemption fee on mutual fund shares sold by the Claimant. Respondent(s) maintain that Claimant was informed about the contingent deferred sales charge of the investment.

**RELIEF REQUESTED**

Claimant(s) Harold Rosen and Beatrice Rosen requested damages of Three Thousand Six Hundred Sixteen Dollars and No Cents (\$3,616.00). Respondent(s) 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 L. Hawes, was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant(s) on December 5, 1988 and by Respondent(s) on March 2, 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:

The Respondents shall be liable to the Claimants in the amount of Three Thousand Six Hundred Sixteen Dollars and No Cents (\$3,616.00).

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(s) shall be retained by the NASD as costs of this proceeding and reimbursed by the Respondents to the Claimant.

**August 17, 1989**