

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Doris Fienga

Claimant

vs.

Quintus A. Guthrie

Respondent

AWARD

CASE NO. 89-01095

Members of the Arbitration Panel:

Charles D. Rehm

SUMMARY OF ISSUES

This case was filed with the National Association of Securities Dealers, Inc. ("NASD") on April 11, 1989. Claimant alleged Respondent recommended and invested her funds in unsuitable common stocks. Claimant also alleged that Respondent improperly monitored her account, then improperly terminated her account.

Respondent denied all allegations brought by Claimant, and asserted that Claimant was an experienced, educated investor who controlled her account and approved all transactions in her account.

DAMAGES AND RELIEF REQUESTED

Claimant requested damages of \$16,000.00 for losses in her account.

Respondent requested dismissal of all claims and an award of all costs of arbitration.

DAMAGES AND RELIEF AWARDED

On March 1, 1990, in Los Angeles, California, the arbitrators heard the controversy, in two sessions, between the parties as set forth in submissions to arbitration signed by Claimant on March 17, 1988, and by

Respondent on July 10, 1989. The arbitration panel, having considered the pleadings, the testimony, and the evidence presented at the hearing, has determined in full and final resolution of the issues submitted for determination as follows:

1. All claims brought by Claimant are dismissed.
2. The parties shall each bear their respective costs including attorneys' fees.
3. In Accordance with Section 43 of the NASD Code of Arbitration Procedure, the NASD shall retain the \$400.00 filing fee previously deposited by the Claimant as an assessment of forum fees by the arbitrators.

DATE SERVED: 03/12/90