

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Robert L. and Lois A. Bernard

Claimant(s)

vs.

John J. Fenwick, Bruce G. Scott,
and Prudential-Bache
Securities, Inc.

Respondent(s)

NOTICE OF
ARBITRATION
AWARD
89-01959

CASE SUMMARY

Claimant(s) Robert L. and Lois A. Bernard alleged that Respondent(s) John J. Fenwick, Bruce G. Scott, and Prudential-Bache Securities, Inc. negligently mishandled Claimants' account held with Respondent. Respondent(s) deny Claimants' allegations.

RELIEF REQUESTED

Claimant(s) Robert L. and Lois A. Bernard requested actual damages of Eight Hundred Seventy Four Dollars and Forty-Nine Cents (\$874.49) and punitive damages of One Thousand Six Hundred Twenty Five Dollars and Fifty-One Cents (\$1,625.51). 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 Zysk, 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 July 6, 1989 and by Respondent(s) on October 25, 1989, October 26, 1989, and November 1, 1989, respectively;

And, that the Arbitrator, having considered the proofs of the Parties, including any additional documentary submissions of the Claimant(s) and the Respondents(s) has decided and determined in full and final resolution of the issue submitted for determination as follows:

The Respondent Bruce G. Scott is only liable to Claimant for the total amount of Twenty Dollars and Twenty-Two Cents (\$20.22); and

All remaining claims including the claim for punitive damages shall be dismissed.

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 Claimant(s) shall be retained by the NASD and reimbursed by Bruce G. Scott to the Claimants.

December 6, 1989