

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

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In the Matter of the Arbitration Between :  
: Aleta Dornbos :  
: Claimant : CASE 89-02567  
: vs. : AWARD  
: Prudential-Bache Securities, Inc.; :  
: Ted Bien and James Dunn :  
: Respondents :  
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CASE SUMMARY

Claimant alleges that Respondents made an unauthorized transfer of 1,623 shares of Hidden Strength Growth Fund into Hidden Strength Money Market. She contends that when Respondents repurchased her original shares she lost 251.78 shares or about \$10,000.00

Respondents contend that Claimant's husband directed the sale of shares to curtail losses after the market crash of 1987. Further they contend Claimant had ratified the transaction by not voicing a complaint until February 1988 several months after the stock price rose. Respondents also contend Claimant was reimbursed by her husband.

RELIEF REQUESTED

Claimant originally sought 251,78 shares returned but amended to seek \$10,000.00 for the unauthorized transaction because the shares in the fund no longer exist.

Respondents seek dismissal and costs.

AWARD

On July 18, 1990, the undersigned arbitrator heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant Aleta Dornbos on November 30, 1989 and by Respondent Prudential-Bache Securities, Inc. on January 22, 1990 and by Respondents Ted Bien and James Dunn on December 23, 1989.

The initial claim was filed on September 14, 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. Claimant's claim against Respondent James Dunn is dismissed in its entirety.
2. Award is hereby made in favor of Claimant and against Respondents, Ted Bien and Prudential-Bache Securities, Inc. jointly and severally, in the amount of One Thousand (\$1,000.00) Dollars.
3. The parties shall each bear their respective costs including attorney's fees.
4. Pursuant to Section 43 of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain the \$200 filing fee previously deposited by the Claimant as costs of the one (1) hearing session conducted in this matter.

ARBITRATOR

/s/  
Marvin I. Horowitz, Esq.

DATE: October 29, 1990