

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Robert D. Westfall

Claimant(s)

vs.

Dean Witter Reynolds, Inc.

Respondent(s)

NOTICE OF  
ARBITRATION  
AWARD  
89-02659

CASE SUMMARY

Claimant(s) Robert D. Westfall alleged that Respondent(s) Dean Witter Reynolds, Inc. failed to follow Claimant's instructions regarding the transfer of certain funds from an account maintained with Respondent to an IRA account of another brokerage firm. Respondent(s) maintain that Claimant's claim is baseless because the account transfer in question was not possible and Claimant should have known this due to his background as a former account executive of the Respondent.

RELIEF REQUESTED

Claimant(s) Robert D. Westfall requested damages of Two Thousand Nine Dollars and No Cents (\$2,009.00). 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, Roneé C. McLaughlin, Esq., 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 September 12, 1989 and by Respondent(s) on December 11, 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:

That the claim of the Claimant shall be and hereby is dismissed in all respects.

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

STATE OF *New York*  
COUNTY OF *New York*

S.S.:

On this *25<sup>th</sup>* day of *April*, 1990, before me personally appeared David M. Kaplan to me known and known to me to be the individual described in and who executed the foregoing instrument and be duly acknowledged to me that he executed the same

*Helen Mangano*

HELEN MANGANO  
Notary Public, State of New York  
No. 4087115  
Office: *West County*  
Commission Expires: *12/15/1991*

\* The \$100.00 filing fee previously deposited with the NASD, Inc. by  
- the Claimant(s) will be retained by the NASD as costs of this  
proceeding.

February 26, 1990