

Arbitration

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

National Association of
Securities Dealers, Inc.
Suite 1680
Three First National Plaza
Chicago, IL 60602
(312) 899-4440

In the Matter of the Arbitration Between

Name of Claimant(s)

Holly B. Prassenos

89-03008

Name of Respondent(s)

A.G. Edwards & Sons, Inc.
Ernest Martin III
Thomas Bohlke

CASE SUMMARY

In a claim filed with the NASD on or about October 11, 1989 Holly B. Prassenos ("Claimant") alleged that A.G. Edwards and Sons, Inc., Thomas Bohlke, and Ernest Martin (collectively "Respondents") misrepresented and omitted material facts in connection with an account opened by Claimant with A.G. Edwards and Sons. Claimant also alleged that Respondents placed her in an investment which was unsuitable for Claimant based on her investment objectives, experience and income.

All Respondents denied all allegations of wrongdoing contained in Statement of Claim. Respondents A.G. Edwards and Sons and Thomas Bohlke asserted the following affirmative defenses: the Statement of Claim failed to state a claim for relief; Claimant is barred from recovery under the doctrines of waiver, ratification estoppel and laches; contributory negligence; Claimant was aware of the risks and assumed such risk; damages were caused by market conditions; Claimant waived her claims through her conduct with Respondents; and Claimants losses were due to her own actions. A.G. Edwards and Sons and Thomas Bohlke also asserted counterclaims for attorneys' fees and costs incurred in connection with this proceeding.

PROCEDURAL MATTERS

Respondents A.G. Edwards and Sons and Thomas Bohlke made a motion for summary judgment subsequent to the presentation of Claimant's case.

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4. Pursuant to Section 43(c) of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall retain as forum fees, the \$400.00 filing fee previously deposited with the NASD by the Claimant. Respondents A.G. Edwards and Sons are assessed \$300.00 in forum fees. Claimant is assessed \$500.00 in forum fees.

By the Panel

Dated: September 13, 1990 /S/ John F. Whitney, Esq.

Dated: September 13, 1990 /S/ Robert R. Wolf

Dated: September 13, 1990 /S/ Fred Snyder