

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

John E. Schneider

Claimant(s)

vs.

Dean Witter Reynolds, Inc.

Respondent(s)

NOTICE OF
ARBITRATION

AWARD

89-03064

CASE SUMMARY

Claimant(s) John E. Schneider alleged that Respondent(s) Dean Witter Reynolds, Inc. refused to refund margin interest charged on a check that was neither received nor cashed by Claimant. Respondent maintains that the check in question was issued on margin and subsequently endorsed over to an insurance company to pay for an annuity purchased by Claimant.

RELIEF REQUESTED

Claimant(s) John E. Schneider requested damages of One Thousand Five Hundred Eighty Three Dollars and Thirty Three Cents (\$1,583.33). 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 29, 1989 and not by the Respondent as required by Section 12(a) of the NASD, Inc. Code of Arbitration Procedure;

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.

NASD Arbitration Award

Case No. 89-03064

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The \$25.00 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