

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between
Norman J. Dinkel

OATH AND
AWARD OF
ARBITRATOR

90-01603

Claimant

vs.

Prudential Bache Securities, Inc.
Michael Kirkpatrick

Respondents

Having been selected as an arbitrator to consider and determine the matter in controversy between the above-captioned parties, I solemnly swear or affirm that:

- I am not an employer of, employed by or related by blood or marriage to any of the parties or witnesses whose names have been disclosed to me, and
- I have no interest directly or indirectly in this proceeding, and
- I know of no existing or past financial, business, professional, family or social relationship which would impair me from performing my duties, and
- I shall consider and decide the controversy faithfully and fairly and render a just award to the best of my understanding,

CASE SUMMARY

Claimant(s) Norman J. Dinkel alleged that Respondent(s) Prudential Bache Securities, Inc. and Michael Kirkpatrick engaged in unauthorized trading in Claimants' account and subsequently corrected only a few of the unauthorized trades. Respondent(s) denied the allegations and maintain that the dispute regarding unauthorized trading in Claimants' account was previously satisfied by a credit to Claimant's account and it was agreed at that time that the claim of unauthorized trading was settled.

RELIEF REQUESTED

Claimant(s) Norman J. Dinkel requested damages of Four Thousand Two Hundred Thirteen Dollars and No Cents (\$4,213.00). Respondent(s) requested dismissal of claim and costs.

The undersigned being the arbitrator selected to review and determine a matter in controversy between the above-mentioned Claimant(s) and Respondent(s), set forth in a submission to Arbitration signed by the Parties on June 4, 1990 and not by Respondent as required by Section 8 of the NASD, Inc. Code of Arbitration Procedure, respectively;

And, that having reviewed and considered the proofs of the Parties, including any additional documentary submissions of the Claimant(s) and the Respondent(s) has decided and determined that in full and final settlement of the above-captioned matter,

Note: Fill out only those sections which apply to this particular case: Case Number 90-01603:

- 1) Case Dismissed _____
- 2) Find for the Claimant
(a) total amount of the award: \$ 342.00
(b) if two or more respondents are liable: yes X no _____
(1) joint and severally liable:
(2) if respondents separately liable
list party and the amounts: _____

- 3) Counterclaim of Respondent
(a) total amount of award: \$ _____
(b) party to receive award: _____
(c) counterclaim dismissed: _____
- 4) Punitive Damages
(a) total amount \$ _____
(b) name parties against whom damages are to be assessed and in what amounts: _____

- (c) claim dismissed: _____
- 5) NASD Fee
(a) assessed against Claimant X
(b) assessed against Respondent _____
- 6) Use this space to expand or clarify any part of the decision above or to indicate other forms of specific relief.

Affirmation

STATE OF Virginia
City of Alexandria
COUNTY OF

} SS:
}

I, Patrick J. Halter, do hereby affirm upon my oath as arbitrator that I am the individual described in and who executed this instrument, which is my oath and award.

July 1 1900
(DATE)

Patrick J. Halter
(SIGNATURE OF ARBITRATOR)