

N.A.S.D. AWARD
NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant(s)

Paul & Mary P. Renda OTWROS

90-02160

Name of Respondent(s)

Prudential-Bache Securities Inc.

Albert C. Adam

Heard before:

Name

Robert Rose

James Gormsen

George Rosen

Public/Industry

Public

Public

Industry

REPRESENTATIVES

Claimants represented themselves. Respondents were represented by David Becker, Esq. of Prudential-Bache Securities, Inc.

CASE SUMMARY

This matter was initiated by a Statement of Claim filed with the National Association of Securities Dealers, Inc. ("NASD") on August 7, 1990.

Claimants alleged that Respondents pressured them to buy Summit Tax-Exempt I, which was allegedly an unsuitable investment.

Respondents alleged that Claimants were advised of the details of the Summit bond Exempt Bond Fund Limited Partnership, were provided a prospectus, at no time did Respondents put any pressure on Claimant to conclude the initial purchase, that additional investments were done by Claimants of their own free choice, that Respondents have kept Claimants abreast of all developments pertaining to Summit, and that Claimants have failed to take any action to mitigate their damages. Respondents asserted three affirmative defenses.

RELIEF REQUESTED

Claimants requested \$95,000 (the amount of their investment) plus punitive damages of \$5,000. Respondents requested that the arbitration panel deny the Claim of Claimants and not award any money to the Claimants.

AWARD

On May 22, 1991 in Los Angeles, California during a hearing lasting two sessions, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant(s) on July 30, 1990, and signed by Kenneth E. Meister on behalf of Prudential-Bache Securities, Inc. on November 12, 1990.

After considering the pleadings, the testimony, and the evidence presented at the hearing, the arbitrators have decided in full and final resolution of the issues submitted for determination as follows:

1. Each and every claim of Claimants is dismissed.
2. The parties shall each bear their respective costs including attorneys' fees.

FORUM FEES

In accordance with Section 43c of the NASD Code of Arbitration Procedure, the NASD shall retain the \$650 filing fee previously deposited by the Claimant (as an assessment of forum fees by the arbitrators). In addition, Respondent Prudential-Bache Securities, Inc. is also assessed fees of \$500 (as an assessment of forum fees by the arbitrators). Fees are payable to the National Association of Securities Dealers, Inc.

OTHER ISSUES

Signatures



George Rosen

Date of Decision: _____