

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant(s)

Romana Valina

90-02392

Name of Respondent(s)

Dain Bosworth Incorporated

Heard before:

Name

William S. Glickfield, Esq.

Public/Industry

Public/Chairman

REPRESENTATION

Claimant, Romana Valina, appeared in pro se.

Respondent, Dain Bosworth Incorporated was represented by Ms. Cynthia Cheney.

CASE SUMMARY

This matter was initiated by a Statement of Claim filed with the National Association of Securities Dealers, Inc. ("NASD") on August 28, 1990.

Claimant, Romana Valina, (Valina) alleges that she purchased shares in a U. S. Government Securities Fund after being told that her money would be safe and that she would not lose any principal. Subsequent to the purchase Valina learned that the principal in her account had declined by approximately \$2,500.00. Valina brings this action against Respondent, Dain Bosworth Incorporated in order to recover the lost principal.

Respondent, Dain Bosworth Incorporated, alleges that they never made any representations to Valina regarding the safety of her principal and that Valina had actually earned more interest than she would have had Valina invested her money in bank CDs.

RELIEF REQUESTED

Claimant, Romana Valina, seeks to recover \$2,500.00, representing the loss of principal at issue.

Respondent, Dain Bosworth Incorporated, seeks dismissal of the suit in its entirety.

AWARD

On July 2, 1991, in Las Vegas, Nevada, during a hearing lasting one session, the undersigned arbitrator heard the controversy between the parties as set forth in submissions to arbitration signed by Claimant, Romana Valina on October 22, 1990 and signed by Cynthia H. Cheney on behalf of Respondent, Dain Bosworth Incorporated, on February 1, 1991.

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

1. Each and every claim of Claimant, Romana Valina against Respondent, Dain Bosworth, Incorporated 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 \$25.00 filing fee previously deposited by the Claimant as an assessment of forum fees by the arbitrator.

Concurring Arbitrators Signatures.

William S. Glickfield
William S. Glickfield, Esq.

Date of Decision: 7-15-91

Served 7/17/1991