

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between :
John L. and Wanda C. Bunker :
Claimants :
vs. : CASE #90-02879
Bateman Eichler, Hill Richards, Inc. : AWARD
Respondents :

CASE SUMMARY

Pro Se Claimants, John L. and Wanda C. Bunker, in a claim filed with the National Association of Securities Dealers, Inc. on October 16, 1990, alleged that their account executive, Ramona Wood at Bateman Eichler, Hill Richards, Inc., misrepresented to them the safety and dividends of Venture Annuity, placed them in an unsuitable annuity not according to their investment objectives and was negligent by not informing them of another Venture Annuity plan offering two-thirds of the investment at a fixed rate and one-third in growth with no transfer fee.

Respondent, Bateman Eichler, Hill Richards, Inc. by its attorney, Brian K. Lowe, Los Angeles, CA, maintained that representative Wood supplied a prospectus on Venture Annuity before the sale, fully explained the plan she suggested twice before the Bunker's made any decision, that Claimants made their own investment decisions and that the annuity performance was monitored after the sale.

Claimants restated their position in a Reply to the Answer.

RELIEF REQUESTED

Claimants request Ten Thousand Dollars and No Cents (\$10,000.00) in damages.

Respondent requests dismissal of the Claim.

AWARD

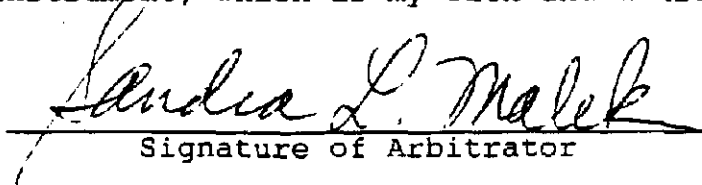
Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Sandra L. Malek, was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimants on October 3, 1990 and by the Respondent on March 4, 1991;

And, that the Arbitrator, having considered the proof of the Parties, has decided and determined in full and final resolution of the issues submitted for determination as follows:

1. That the Respondent, Bateman Eichler, Hill Richards, Inc. is liable and shall pay to the Claimants, John L. and Wanda C. Bunker, the sum of Ten Thousand Dollars and No Cents (\$10,000.00).
2. The One Hundred Fifty Dollars and No Cents (\$150.00) filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimants shall be retained by the NASD, Inc. and is assessed against the Respondent who shall pay One Hundred Fifty Dollars and No Cents (\$150.00) to the Claimants.

AFFIRMATION

I, SANDRA L. MALEK, do hereby affirm upon my oath as arbitrator that I am the individual described herein and who executed this instrument, which is my oath and award.


Signature of Arbitrator

DATED: JULY 18, 1991