

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the Matter of the Arbitration Between

Cynthia Rundlet

Claimant

vs.

Prudential Securities, Inc.
Stephen Ziomek

Respondents

CASE #91-02860
AWARD

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on September 16, 1991, Claimant Cynthia Rundlet, who appeared Pro Se, alleged that Respondents Prudential Securities, Inc. and Stephen Ziomek misled her into purchasing Prudential Bache Almahurst Bloodstock Limited Partnership and Prutech R & D1, both of which were unsuitable investments considering her financial portfolio and investment objectives. The Claimant further alleged that a responsible adviser would not have made these recommendations to someone in her situation.

Respondents, Prudential Securities, Inc. and Stephen Ziomek, through their in-house counsel, Gerard J. Kowalski, maintained that the Claimant's account was managed with due care at all times, and that any losses sustained by the Claimant cannot be attributed to the Respondents. The Respondents further maintained the investments that were recommended were based on solid reasoning and were part of a diversified portfolio; they also maintained that the Claimant, Ms. Rundlet, waited almost 6 years to complain about the investment.

RELIEF REQUESTED

Claimant, Cynthia Rundlet requested \$10,000 in actual damages, plus interest.

Respondents, Prudential Securities, Inc. and Stephen Ziomek requested the claims of the Claimant be dismissed and that their costs be assessed against the Claimant.

AWARD

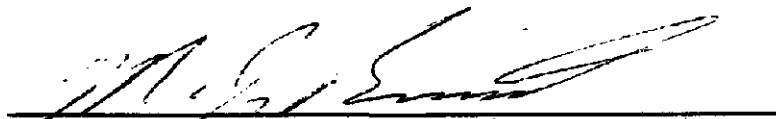
Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Michael J. Busch, was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on June 20, 1991, by the Respondent, Prudential Securities, Inc. on November 11, 1991, but not signed by Respondent, Stephen Ziomek as required by Sections 12 & 13 of the NASD Code of Arbitration Procedure.

And, 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. The Respondents, Prudential Securities, Inc. and Stephen Ziomek are jointly and severally liable and shall pay to the Claimant, Cynthia Rundlet, \$11,891.00 in actual damages, inclusive of simple interest.
2. The parties shall bear their respective costs.
3. The \$150.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant shall be retained by the NASD, Inc.

AFFIRMATION

I, MICHAEL J. BUSCH, 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

DATE OF DECISION: March 30, 1992