

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimants

Rodney D. Cook, individually and
As C/F Brandon D. Cook

NASD Arbitration
No. 92-00841

Name of Respondents

Dean Witter Reynolds, Inc.
Tom Chronert
Robert S. Harshman

REPRESENTATION

For Claimant: Lionel Z. Glancey, Esq. - Beverly Hills, California

For Respondents: Dean Witter Reynolds, Inc. and Tom Chronert - Timm A.
VanDuin, Esq. - Dean Witter Reynolds, Inc. - San Francisco, California

CASE INFORMATION

Statement of Claim filed: March 10, 1992

Claimant's Submission Agreement signed: May 12, 1992

Joint Statement of Answer filed by Respondents: July 23, 1992

Respondent, Dean Witter Reynolds, Inc.'s Submission Agreement signed:
July 20, 1992

Respondent, Thomas K. Chronert's Submission Agreement signed: July 23, 1992

HEARING INFORMATION

Hearing Dates/Sessions: June 17, 1993 - Two Sessions
June 18, 1993 - Two Sessions

Hearing Location: Los Angeles, California

CASE SUMMARY

Claimant, Rodney D. Cook (Cook), alleged that Respondents, Dean Witter Reynolds, Inc. (DWR) and Tom Chronert, induced Cook into unsuitable options trading in his individual account and also claims against Respondents on behalf of of his son, Brandon C. Cook, as Custodian.

Respondents alleged that all trading done in both accounts was suitable in light of Cook's investment objective of speculative trading profits, in his individual account, and that trading in the custodial account was not inappropriate and that any losses that may have been incurred were the result of market conditions.

RELIEF REQUESTED

Claimant seeks to recover the sum of \$100,000.00.

Respondents seek dismissal of the claim in its entirety plus costs.

OTHER ISSUES CONSIDERED & DECIDED

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered. In either case, the parties have agreed to receive conformed copies of the Award while the originals remain on file with the NASD.

AWARD

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

Respondent, Robert S. Harshman was dismissed from the action by the Claimant.

1. Each and every claim of Claimant, Rodney D. Cook, as an individual and as Custodian for Brandon D. Cook, against Respondents, Dean Witter Reynolds, Inc. and Tom Chronert is dismissed.
2. The parties shall each bear their respective costs and fees.
3. The NASD is to retain all fees and deposits.

FORUM FEES

Pursuant to Section 43c of the Code of Arbitration Procedure, the following forum fees are assessed:

Dean Witter Reynolds, Inc. is assessed and shall pay to the NASD the sum of \$3,000.00 representing assessments for four hearing sessions at \$750.00 each.

Fees are payable to the National Association of Securities Dealers, Inc.

ARBITRATORS

<u>Name</u>	<u>Public/Industry</u>
William Shipley	Industry Panelist
Ruth G. Lavell	Public Panelist
Libbe R. Murez, Esq.	Public Chairperson

Concurring Arbitrators' Signatures

Libbe R. Murez

Date of Decision: 6/18/93