

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the matter of the Arbitration Between

Name of Claimants

Jeanne Bodel Groeper

NASD Arbitration  
No. 92-02214

Name of Respondents

Yaeger Securities, Inc.  
Norma Yaeger  
Jack Halpern

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**REPRESENTATION**

For Claimant: Carroll R. Melton, Arbitration Consultants, Inc., Woodland Hills, California

For Respondents: Yaeger Securities and Norma Yaeger: David Mahler, Yaeger Securities, Inc., Encino, California

For Respondent Jack Halpern: Jack Halpern appeared pro se.

**CASE INFORMATION**

Statement of Claim filed: July 2, 1992

Claimant's Submission Agreement signed: June 26, 1992

Joint Statement of Answer filed by Respondents: August 24, 1992

Respondents' Submission Agreements signed:

Yaeger Securities: July 17, 1992  
Norma Yaeger: July 17, 1992  
Jack Halpern: No date given.

**HEARING INFORMATION**

Hearing Dates / Sessions: May 17, 1994 - 2 sessions

Hearing Location: Los Angeles, California

**CASE SUMMARY**

Claimant alleged Respondents breached their duty to her by recommending an unsuitable security - Monarch Mortgage Associates, L.P., a real estate limited partnership that was illiquid and high risk and unsuitable for Claimant's investment objectives. Claimant also alleged misrepresentation and securities fraud.

Respondents denied the allegations of the claim, and asserted that Claimant had been provided with all relevant particulars concerning this private placement, that Claimant used her real estate expertise to evaluate the project and made her own decision to invest. Respondents also asserted that the failure of the investment was beyond their control.

### RELIEF REQUESTED

Claimant requested rescission of her \$24,000 investment, plus interest & costs of arbitration. Respondents requested dismissal of all claims.

### OTHER ISSUES CONSIDERED AND 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 original remains 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:

1. All claims asserted by Claimant are dismissed in their entirety. Respondents, and each of them, are not liable to Claimant for the alleged loss sustained by Claimant.

### FORUM FEES

Pursuant to Section 43(c) of the Code of Arbitration Procedure, the NASD shall retain the \$100 non-refundable filing fee paid by Claimant. Forum fees are to be assessed as follows:

Total fees:	
2 sessions @ \$300 / session	= \$600.00
Claimant's one-half share	= \$300.00
<u>Credit for deposit</u>	<u>= \$300.00</u>
Balance due	= <u>\$0.00</u>

Respondents' (joint & several) one-half share \$300.00

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

### ARBITRATOR

Name ..... Public / Industry  
Bernard Segelin

Concurring Arbitrator's Signature

Bernard Segelin