

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Edwin G. Cevallos

92-03212

Name of Respondent

Dean Witter Reynolds Inc.

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on September 23, 1992, Claimant Edwin G. Cevallos, who appeared Pro Se, alleged that Respondent Dean Witter Reynolds, Inc. charged his account excessively, which he did not discover until he closed his account. The Claimant further alleged that he was promised an explanation regarding these charges, but has not received one, and that he is entitled to reimbursement for these excessive charges.

Respondent Dean Witter Reynolds, Inc., through its in-house counsel, Janet T. Love, Esq., maintained that the charges were explained to the Claimant when he chose to invest in Dean Witter's Strategic fund and Dean Witter's U.S. Government Securities Trust, and that he was not given any misinformation, nor were the sales charges misrepresented. The Respondent further maintained that it should not be held responsible for the Claimant's decision to sell all of his investments at an inopportune time.

RELIEF REQUESTED

Claimant Edwin G. Cevallos requested \$2,456.00 in actual damages.

Respondent Dean Witter Reynolds, Inc. requested that the claims of the Claimant be dismissed.

AWARD

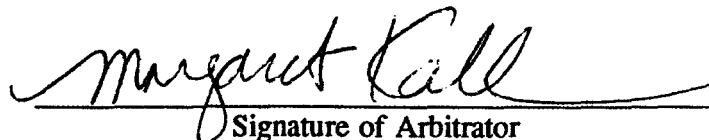
Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Margaret Kallman, was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on October 13, 1992 and by the Respondent on January 22, 1993.

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 claims of the Claimant Edwin G. Cevallos against Respondent Dean Witter Reynolds, Inc. are dismissed in their entirety.
2. The parties shall bear their respective costs.
3. The \$125.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant shall be retained by the NASD, Inc.

AFFIRMATION

I, **MARGARET KALLMAN**, 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: June 8, 1993