

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimants

Roy Dinwiddie
Elizabeth Dinwiddie

NASD Arbitration
No. 92-04187

Name of Respondents

Dean Witter Reynolds, Inc.
Brad Vorhees
Jane Doe Vorhees

REPRESENTATION

For Claimant: John Miller, Esq. - Lynwood, Washington

For Respondent: Brad Vorhees - Janet T. Love, Esq. - Dean Witter Reynolds, Inc., San Francisco, California

For Respondent: Jane Doe Vorhees - Christopher B. Well, Esq. - Lane Powell Spears Lubersky, Seattle, Washington

For Respondent: Dean Witter Reynolds, Inc., Janet T. Love, Esq. - Dean Witter Reynolds, Inc., San Francisco, California

CASE INFORMATION

Statement of Claim filed: December 15, 1992

Claimant's Submission Agreement signed: December 4, 1992

Statement of Answer filed by Respondent, Dean Witter Reynolds, Inc. February 9, 1993

Statement of Answer filed by Respondent, Brad Vorhees on February 9, 1993

Respondent, Dean Witter Reynolds, Inc.'s Submission Agreement signed: February 9, 1993

Respondent, Brad Vorhees' Submission Agreement signed: March 30, 1993

HEARING INFORMATION

Hearing Date/Sessions: June 4, 1993 - Two Sessions

Hearing Location: Seattle, Washington

CASE SUMMARY

Roy and Elizabeth Dinwiddie (Claimants) alleged that Respondent, Brad Vorhees(Vorhees), while employed by Respondent, Dean Witter Reynold. Inc. (DWR), sold to Claimants 10,000 share of Nutronics Corporation. Claimants alleged that Vorhees made several material misrepresentations of fact in the process of the sale.

Respondents, answering jointly, alleged that Claimant (Roy Dinwiddie) was a sophisticated and knowledgeable investor who maintained control over his account at all times and that Vorhees did not solicit or recommend Nutronics to Dinwiddie, rather, that it was Dinwiddie's idea to buy and hold Nutronics.

RELIEF REQUESTED

Claimants requested recovery of \$6,250.00, interest, \$10,000.00 in treble damages, attorney's fees and costs.

Respondents requested dismissal of the claim in its entirety, plus costs.

OTHER ISSUES CONSIDERED & DECIDED

This claim was the result of a stipulation to arbitrate filed in Superior Court of Washington for Snohomish County, No. 92-2-03984-1. In light of said stipulation, the NASD exercised jurisdiction over all parties named in the above referenced action.

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 arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

1. Each and every claim of Claimants Roy Dinwiddie and Elizabeth Dinwiddie against Respondents, Dean Witter Reynolds, Inc., Brad Vorhees and Jane Doe Vorhees is dismissed.
2. The parties shall each bear their respective costs and fees, including attorney's fees.
3. The NASD shall refund Claimants' hearing session deposit of \$300.00.

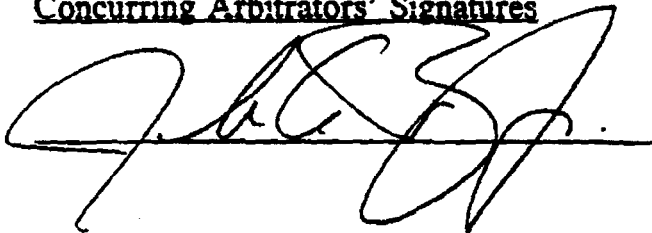
FORUM FEES

No additional forum fees are assessed.

ARBITRATORS

<u>Name</u>	<u>Public/Industry</u>
John A. Bender, Jr., Esq.	Public Chairperson

Concurring Arbitrators' Signatures

A large, stylized handwritten signature in black ink, likely belonging to John A. Bender, Jr., Esq., is written over a horizontal line.