

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimants

Harold D. and Norma L. Pease

94-00496

Name of Respondents

Dean Witter Reynolds, Inc.

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on January 8, 1994, Claimants Harold D. and Norma L. Pease, who appeared Pro Se, alleged that Respondent Dean Witter Reynolds, Inc. misrepresented certain aspects of the First Federal Savings & Loan of Arizona Zero Coupon Bond to them. Claimants further alleged that the bonds in question were called for redemption and sold for less than what they paid for them. As a result of the above, Claimants contended that they have suffered damages for which the Respondent should be held liable.

Respondent Dean Witter Reynolds, Inc., through its in-house counsel Edward W. Larkin, Esq., New York, New York, denied that it violated any duty, obligation or responsibility owed to Claimants. Respondent further denied that any statements made to Claimants misrepresented the truth or that its conduct was improper. Respondent maintained that the investment in question was suitable for clients with conservative objectives. As a result of the above, Respondent contended that it should not be held liable in this matter.

RELIEF REQUESTED

Claimants Harold D. and Norma L. Pease requested \$937.06 in actual damages, plus \$30.00 in filing fees.

Respondent Dean Witter Reynolds, Inc. requested that the Claimants' Statement

of Claim be dismissed in its entirety, and that costs be assessed against Claimants.

AWARD

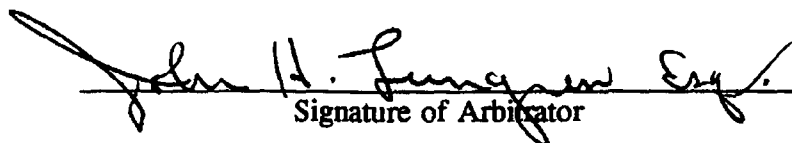
Pursuant to Section 13 of the National Association of Securities Dealers, Inc. Code of Arbitration Procedure, a single public arbitrator, John H. Lungren, Esq., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimants on February 2, 1994 and not by the Respondent as required by Sections 12 and 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 claims of Claimants Harold D. and Norma L. Pease against Respondent Dean Witter Reynolds, Inc. are dismissed in their entirety.
2. The parties shall bear their respective costs.
3. The \$30.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimants shall be retained by the NASD, Inc. Respondent Dean Witter Reynolds, Inc. is liable and shall pay to Claimants Harold D. and Norma L. Pease \$15.00 as partial reimbursement of the filing fee.

AFFIRMATION

I, JOHN H. LUNGREN, ESQ., do hereby affirm upon my oath of 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: December 28, 1994