

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

In the matter of the Arbitration Between

Name of Claimant

Robert Green

NASD Arbitration

No. 94-01747

Name of Respondent

Dean Witter Reynolds, Inc.

REPRESENTATION

For Claimant: Paul W. Thomas, Esq., Carlsbad, California

For Respondent: Curt H. Mueller, Esq., Dean Witter Reynolds, Inc., San Francisco, California

CASE INFORMATION

Statement of Claim filed: May 10, 1994

Claimant's Submission Agreement signed: March 21, 1994

Statement of Answer filed: July 8, 1994

Respondent's Submission Agreement signed: July 7, 1994

HEARING INFORMATION

The hearing was held in San Diego, California, on April 11, 1995, and lasted 2 sessions.

CASE SUMMARY

Claimant alleged misrepresentation, lack of suitability, failure to supervise and breach of fiduciary duty with respect to his investments on margin in ICH Corp. bonds.

Respondent denied the allegations of wrongdoing, and asserted the bond transactions were unsolicited transactions representing Claimant's knowing and willing speculation in corporate junk bonds.

RELIEF REQUESTED

Claimant requested damages in excess of \$100,000 (amended to \$83,703.00 at hearing), plus punitive damages, interest, costs of arbitration and attorney's fees.

Respondent 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, including the claim for punitive damages, are dismissed in their entirety.
2. The parties shall each bear their respective costs, including attorney's fees.

FORUM FEES

Pursuant to Section 43(c) of the Code of Arbitration Procedure, the NASD shall retain the \$200.00 non-refundable filing fee paid by Claimant, but shall refund Claimant's \$750.00 hearing session deposit.

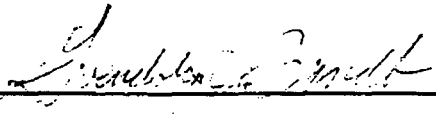
Respondent is assessed forum fees of \$1,500.00 for 2 hearing sessions.

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

ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
Franklin G. Allen	Public Chairperson
Ronald N. Roth	Public Panelist
Gwendolyn J. Bandt	Industry Panelist

Concurring Arbitrators' Signatures

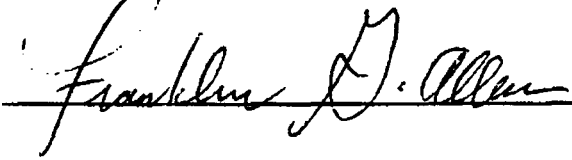


Served 4/21/95

ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
Franklin G. Allen	Public Chairperson
Ronald N. Roth	Public Panelist
Gwendolyn J. Bandt	Industry Panelist

Concurring Arbitrators' Signatures

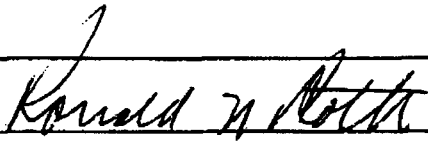


Served 4/21/95

ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
Franklin G. Allen	Public Chairperson
Ronald N. Roth	Public Panelist
Gwendolyn J. Bandt	Industry Panelist

Concurring Arbitrators' Signatures



Served 4/21/95