

AWARD

NASD REGULATION, INC., OFFICE OF DISPUTE RESOLUTION

In the matter of the Arbitration Between

Name of Claimant

Allen E. Ross

NASD Arbitration
No. 94-01967

v.

Name of Respondent

Prudential Securities, Inc.

REPRESENTATION

For Claimant:

Christopher Olmstead, Esq.
Lovretovich & Karen
Woodland Hills, CA

For Respondent:

Martin Hunger
Prudential Securities, Inc.
New York, New York

CASE INFORMATION

Statement of Claim filed:

April 4, 1994

Claimant's Submission Agreement signed:

March 31, 1994

Statement of Answer filed by Respondent:

January 4, 1995

HEARING INFORMATION

Pre-Hearing Conference Dates/ Sessions: April 12, 1996 (1 session)
June 24, 1996 (1 session)
September 13, 1996 (1 session)
July 22, 1997 (1 session)

Hearing Dates/ Sessions: June 4, 1997 (2 sessions)

Hearing Location: Los Angeles, California

CASE SUMMARY

Claimant alleged that Respondent suggested unsuitable investments, namely TIS Mortgage, Inc. Claimant also alleged that Respondent breached its fiduciary duty to Claimant, was negligent, engaged in fraud, and failed to properly supervise its employees.

Respondent denied the allegations of wrongdoing found in Claimant's Statement of Claim.

RELIEF REQUESTED

Claimant requested general and compensatory damages of \$75,000.00, interest that would have earned from the date of the investment to the date of an arbitration award, arbitration costs, punitive damages, and attorney's fees and costs.

Respondent requested that the Statement of Claim be dismissed in its entirety and that arbitration costs be awarded to Respondent.

OTHER ISSUES CONSIDERED AND DECIDED

The parties have agreed that the Award in this matter may be executed in either 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.

The Panel heard oral argument on Respondent's Motion to Dismiss filed by Respondent Prudential Securities, Inc., on July 22, 1997. The Panel considered the Motion to Dismiss presented in the Letter dated June 17, 1997, from Martin Hunger, with exhibits, and the Response to the Motion to Dismiss presented in the Letter dated June 30, 1997, from Christopher W. Olmstead, with exhibits.

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. Respondent's Motion to Dismiss is granted. All of Claimant's claims, including the claim for punitive damages, are denied 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 following forum fees are assessed:

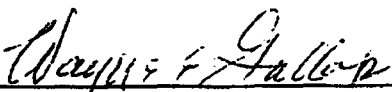
One (1) One-Member Panel Pre-Hearing Conference @ \$300.00/Session	=	\$300.00
Three (3) Full Panel Pre-Hearing Conferences @ \$750.00/Session	=	\$2,250.00
<u>Two (2) Hearing Sessions @ \$750.00/Session</u>	=	<u>\$1,500.00</u>
Total Fees Assessed	=	\$4,050.00
 Claimant's One-Half Share	=	\$2,025.00
<u>Credit for Hearing Session Deposit</u>	=	<u>\$750.00</u>
Claimant's Balance Due	=	\$1,275.00
 <u>Respondent's One-Half Share</u>	=	<u>\$2,025.00</u>
Respondent's Balance Due	=	\$2,025.00

Fees are payable to NASD Regulation, Inc.

ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
Wayne Gallop, Esq.	Public Arbitrator
Luis Ruiz	Industry Arbitrator
John Shelton	Public Arbitrator

Concurring Arbitrators' Signatures



Wayne Gallop, Esq.

Luis Ruiz

John Shelton

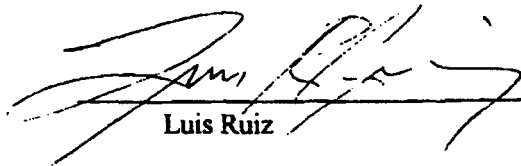
Date of Service: _____

ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
Wayne Gallop, Esq.	Public Arbitrator
Luis Ruiz	Industry Arbitrator
John Shelton	Public Arbitrator

Concurring Arbitrators' Signatures

Wayne Gallop, Esq.

 7/31/97

Luis Ruiz

John Shelton

Date of Service: _____

ARBITRATORS

<u>Name</u>	<u>Public / Industry</u>
Wayne Gallop, Esq.	Public Arbitrator
Luis Ruiz	Industry Arbitrator
John Shelton	Public Arbitrator

Concurring Arbitrators' Signatures

Wayne Gallop, Esq.

Luis Ruiz



John Shelton

Date of Service: AUGUST 22, 1997