

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Melba L. White

94-02287

Name of Respondents

Prudential Securities, Inc.
Ronald Long

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on June 16, 1994, Claimant Melba L. White, who appeared Pro Se, alleged that Respondent Ronald Long of the Respondent firm Prudential Securities, Inc. made a mistake on her account in August 1993 when her funds were erroneously put into Alliance North American Government Trust and when Claimant requested to get back into FNMA Fund she was informed of a 3% penalty. Claimant further alleged that she requested verification in writing that she did not authorize the transaction, but she never heard from Respondent Ronald Long again. Claimant contended that she then informed Mr. Maness, her new broker of Respondent firm Prudential Securities, Inc., of the unauthorized transaction and on December 27, 1993 she went to the branch office for information on the unauthorized transactions, only they had no answers. Claimant further contended that in January 11, 1994 she contacted Merrill Lynch to have her account transferred which was completed in February, and in March 1994 she attempted to get information on Ronald Long so that she could get out of the Alliance account and get a check for \$1,500.00 from him. Claimant further contended that she has suffered damages due to the wrongdoing of the Respondents, and that therefore she should be compensated for her losses.

Respondents Prudential Securities, Inc. and Ronald Long, through their in-house counsel, Debbie Stone Mishan, Esq., maintained that Claimant advised Respondent Long to sell the FNMA and purchase Alliance, and that she was previously informed about a 3% sales charge, and further that at the time of purchase she was sent confirmations, a prospectus, and account statements reflecting this fact. Respondents further maintained that they first heard of the unauthorized transaction when the Claimant informed Mr. Maness and attempted to resolve it with Mr. Wood, the branch manager, with whom she demanded that Alliance be sold with the 3% back and

charge waived. The Respondent further maintained that Mr. Wood did not agree based on his belief that the transaction was authorized, and in February Claimant transferred account to Merrill Lynch. Respondents contended that Claimant's assertion of an unauthorized transaction as well as not knowing about the sales charge is untrue, therefore, the claim should be dismissed.

RELIEF REQUESTED

Claimant Melba L. White requested \$7,500.00 in actual damages.

Respondents Prudential Securities, Inc. and Ronald Long requested that the claims of the Claimant be dismissed.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure, a single Public Arbitrator, George S. Coit, Esq., was selected to review the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on May 18, 1994, by Respondent Prudential Securities, Inc. on September 18, 1994 and by Respondent Ronald Long on November 3, 1994.

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 Melba L. White against Respondents Prudential Securities, Inc. and Ronald Long are dismissed in their entirety.
2. The parties shall bear their respective costs.
3. The \$150.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant Melba L. White shall be retained by the NASD, Inc.

Affirmation

STATE OF

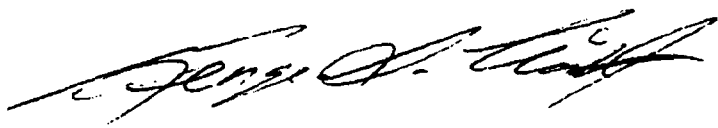
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COUNTY OF

I, GEORGE S COIT JR., do hereby affirm upon my oath
as arbitrator that I am the individual described in and who executed this instrument,
which is my oath and award.


Signature of Arbitrator

DATE OF DECISION:


March 15, 1995