

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Doris J. Vetter

95-01443

Name of Respondent

Prudential Securities, Inc.

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on March 22, 1995, Claimant Doris J. Vetter, who appeared Pro Se, alleged that Respondent Prudential Securities Inc., recommended the purchase of an unsuitable security which resulted in a loss. Claimant further alleged that during January, 1994, she met with Floyd (Bud) Jordan ("Jordan"), a representative of Respondent, and pursuant to Jordan's recommendation she purchased 390 shares of International Gaming Management, Inc. ("IGMM"). Claimant contended that Jordan did not discuss the risk or suitability of this investment for her. Claimant further contended that on August 2, 1994, Respondent released an advisory pertaining to IGMM, but Jordan recommended holding on to the stock. Claimant alleged that she subsequently sold her IGMM shares at a loss. As a result of the above, Claimant alleged that she has suffered a loss for which Respondent should be held liable.

Respondent Prudential Securities, Inc., through its representative and in-house counsel, Janet V. McKenna, Esq., of New York, NY, maintained that at her meeting with Jordan during January, 1994, Claimant explained that she had heard positive information about gaming investments, which she was considering purchasing and Jordan explained to Claimant that such investments could potentially produce high rates of return, but these potential high returns come with higher risks. Respondent further maintained that Jordan explained to Claimant that he had personally invested in IGMM and Claimant, free to accept or reject this investment, elected to invest in IGMM. Respondent contended that Jordan sent the August 2, 1994 advisory to Claimant and recommended keeping the investment and Claimant elected not to sell IGMM. Respondent further contended that Claimant's decision to sell IGMM at a loss, as all previous decisions to purchase or sell, was made by her. As a result of the above, Respondent maintained that it should not be held liable.

RELIEF REQUESTED

Claimant Doris J. Vetter, requested \$2,917.53 in actual damages, plus costs.

Respondent Prudential Securities, Inc., 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, Joseph L. Bernstein, Esq., was selected to review the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant Doris J. Vetter, on March 20, 1995, and by the Respondent Prudential Securities, Inc., on July 27, 1995.

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. Respondent Prudential Securities, Inc. is liable and shall pay to the Claimant Doris J. Vetter, \$938.67 in actual damages.
2. Respondent Prudential Securities, Inc. is liable and shall pay to the Claimant Doris J. Vetter, \$112.56 in interest.
3. The parties shall bear their respective costs.
4. The \$125.00 filing fee previously deposited with the National Association of Securities Dealers, Inc. by the Claimant Doris J. Vetter, shall be retained by the NASD, Inc. Respondent Prudential Securities, Inc. is liable and shall pay to the Claimant, \$62.50 as reimbursement of one-half of the filing fee.

AFFIRMATION

STATE OF FLORIDA

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ss:

COUNTY OF BROWARD

I, Joseph L. Bernstein, do hereby affirm upon my oath as 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: January 9, 1996