

**N.A.S.D. AWARD**

**NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.**

In the matter of the Arbitration Between

**Name of Claimant**

Cheryl A. Hieronymous

v.

NASD Arbitration  
No. 95-01465

**Name of Respondents**

PaineWebber, Inc., Charles R. Norwood and Mort Brown

**REPRESENTATION**

For Claimant: Cheryl A. Hieronymous, Pro Se  
Bakersfield, California

For Respondents: Kathryn L. Krebs, Esq.  
PaineWebber, Inc.  
Los Angeles, California

**CASE INFORMATION**

Statement of Claim filed:	March 23, 1995
Claimant's Submission Agreement signed:	March 9, 1995
Joint Statement of Answer filed by Respondents:	June 12, 1995
Respondent PaineWebber's Submission Agreement signed:	June 8, 1995
Respondent Charles R. Norwood's Submission Agreement signed:	June 16, 1995
Respondent Mort Brown's Submission Agreement signed:	June 16, 1995

### **HEARING INFORMATION**

Hearing Dates / Sessions: April 23, 1996 (2 Sessions)  
April 24, 1996 (1 Session)

Hearing Location: Los Angeles, California

### **CASE SUMMARY**

Claimant alleged that Respondents recommended unsuitable stocks and were negligent by failing to adequately inform Claimant of the risk involved with the recommended securities. Additionally, Claimant alleged that respondents knowingly misrepresented material facts concerning the guaranteed safety of Claimant's investment principal.

Respondents denied each of the Claimant's allegations.

### **RELIEF REQUESTED**

Claimant requested a return of her investments totalling \$285,343.68 plus arbitration costs.

Respondents requested dismissal of all claims and an award of costs of arbitration, including attorney's fees.

### **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.

### **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 of the Claimant's claims 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:

Three Hearing Sessions @ \$750.00 /Session	=	\$2,250.00
Total Forum Fees Assessed	=	\$2,250.00
Claimant's One-Half Share	=	\$1,125.00
Credit for Hearing Session Deposit	=	\$ 750.00
Claimant's Balance Due	=	\$ 375.00
Respondents' One-Half Share	=	\$1,125.00
Respondents' Balance Due	=	\$1,125.00

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

### ARBITRATORS

Name	Public / Industry
Gwendolyn J. Bandt	Industry Arbitrator
John P. Shelton	Public Arbitrator
Delores I. Smith	Public Arbitrator

#### Concurring Arbitrators' Signatures

  
Gwendolyn J. Bandt

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John P. Shelton

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Delores I. Smith

Date of Decision: April 24, 1996

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Delores I. Smith	Public Arbitrator

### Concurring Arbitrators' Signatures

Gwendolyn J. Bandt

John P. Shelton  
John P. Shelton

Delores I. Smith

Date of Decision:

5/17/96

is the date of my  
signature -

But 4/24/96  
was the date the  
decision was  
reached

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\_\_\_\_\_  
John P. Shelton

Delores I. Smith  
Delores I. Smith

Date of Decision: \_\_\_\_\_

Date of Service: 5/29/96