

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Name of Claimant

Donna Marie Rocco

95-04289

Name of Respondent

Dreyfus Investment Services Corporation

CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. on September 8, 1995 Claimant Donna Marie Rocco ("Claimant"), who appeared Pro Se, alleged that she held account #6369156211403 with Respondent Dreyfus Investment Services Corporation ("Respondent"), and that it failed to execute her order to sell. Claimant further alleged that on March 21, 1995, she called Respondent and placed an order to sell her shares of Spectravision and EQM Midwest Real Estate ("EQM"). Claimant contended that she made several other requests to sell but Respondent failed to execute the order in a timely manner and as a result of the above, she has suffered a loss for which Respondent should be held liable.

Respondent Dreyfus Investment Services Corporation, through its representative, Jerry Coughlan, maintained that on May 10, 1995, Claimant sold her shares of EQM at \$.625 per share. Respondent further maintained that on May 15, 1995, it received its first written notification that Claimant claims to have given instructions to sell her shares on March 21, 1995 at \$.812 per share. Respondent contended that it investigated her claim by listening to hours of taped conversations and on May 23, 1995, it notified her that no conversation between her and a male trader had been found. Respondent further contended that it has no record of Claimant contacting its trading desk to place an order to sell her shares of Spectravision and it was not brought to their attention until this claim was filed. Respondent maintained that it received notification from NASD District 9 that no action was warranted in this matter and that as a result of the above, it should not be held liable.

RELIEF REQUESTED

Claimant Donna Marie Rocco, requested \$4,878.82 in actual damages, plus \$5,121.18 in punitive damages.

Respondent Dreyfus Investment Services Corporation, requested that the claims of the Claimant be dismissed.

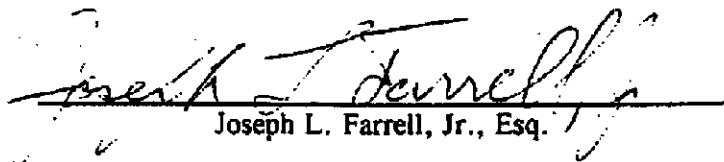
AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure, a single Public Arbitrator, Joseph L. Farrell, Jr., Esq., was selected to review the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on August 22, 1995 and by the Respondent on November 30, 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. The claims of the Claimant Donna Marie Rocco, against Respondent Dreyfus Investment Services Corporation, are denied 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 Donna Marie Rocco, shall be retained by the NASD, Inc.

AFFIRMATION
I, **JOSEPH L. FARRELL, JR., Esq.**, 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.


Joseph L. Farrell, Jr., Esq.

DATE OF DECISION: March 14, 1996