

Award
NASD Regulation, Inc.

In the Matter of the Arbitration Between:

Krystyna U. Kaszubowski, Claimant v. Dean Witter Reynolds Inc., Respondent.

Case Number: 98-00453

Hearing Site: Los Angeles, California

REPRESENTATION OF PARTIES

For Claimant:

William W. Bloch, Esq.
William Bloch & Associates, LLP
Beverly Hills, California

For Respondent:

Timm A. VerDuin, Esq.
Dean Witter Reynolds Inc.
San Fransisco, California

CASE INFORMATION

Statement of Claim filed: January 7, 1998

Claimant's Uniform Submission Agreement signed: September 6, 1997

Statement of Answer filed by Respondent: March 23, 1998

Respondent's Uniform Submission Agreement signed: March 19, 1998

CASE SUMMARY

Claimant alleged the following causes of action: unauthorized trading, negligence, failure to follow orders, and over trading accounts.

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

RELIEF REQUESTED

Claimant requested: compensatory damages of \$16,000.00 and attorneys' fees and costs.

Respondent requested: dismissal of Claimants' Statement of Claim in its entirety.

OTHER ISSUES CONSIDERED AND DECIDED

On December 27, 1999, the Office of Dispute Resolution notified all parties in writing that they must submit hearing dates to the Office of Dispute Resolution before January 17, 2000 or the Arbitration Panel may dismiss the case without prejudice.

The Office of Dispute Resolution did not receive a response from the Claimant by the deadline date of January 17, 2000.

On January 27, 2000, the Arbitration Panel, of its own motion, dismissed this action without prejudice.

AWARD

- 1) Claimant's claims are dismissed without prejudice for failure to prosecute the claims.
- 2) Each party shall bear its own costs, including attorney's fees.
- 3) All other claims are dismissed without prejudice.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Regulation, Inc. has received or will collect the non-refundable filing fees for each claim as follows:

Initial claim filing fee	= \$ 100.00
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Member Fees

Member fees are assessed to each member firm that is either a party in the matter or an employer of a respondent associated person at the time of the event of the dispute. Accordingly, the member firm Dean Witter Reynolds Inc. is a party and the following fees are assessed:

Member Surcharge	= \$ 400.00
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Adjournment Fees

The following adjournment fees are assessed:

January 12, 1999 adjournment requested by Claimant K. Kaszubowski:	= \$ 400.00
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Forum Fees and Assessments

The Panel assessed a forum fee for each pre-hearing conference. A pre-hearing conference or hearing session is any meeting between the parties and the Chair/Panel. The following fees are assessed:

(1) Pre-hearing conference sessions with the Panel @ \$400.00/session = \$ 400.00
Pre-hearing conference(s): June 15, 1998 1 session

Total Forum Fees = \$ 400.00

1. The Arbitration Panel has assessed \$200.00 of the forum fees to Claimant Krystyna U. Kaszubowski.
2. The Arbitration Panel has assessed \$200.00 of the forum fees to Respondent Dean Witter Reynolds Inc.

Fee Summary

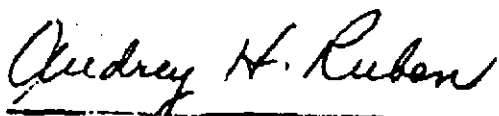
1. Claimant Krystyna U. Kaszubowski is charged with the following fees and costs:

Initial Filing Fee	= \$ 100.00
Forum Fees	= \$ 200.00
<u>Adjournment Fee</u>	<u>= \$ 400.00</u>
Total Fees	= \$ 700.00
<u>Less payments</u>	<u>= \$(900.00)</u>
Refund Due Claimant:	= \$(200.00)

2. Respondent Dean Witter Reynolds Inc. is charged with the following fees and costs:

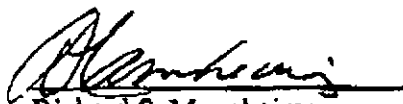
Member Fees	= \$ 400.00
<u>Forum Fees</u>	<u>= \$ 200.00</u>
Total Fees	= \$ 600.00
<u>Less payments</u>	<u>= \$(1,000.00)</u>
Refund Due Respondent:	= \$ (400.00)

Concurring Arbitrators' Signatures



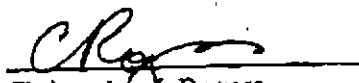
Audrey H. Ruben, Esq.
Chair, Public Arbitrator

6/5/00
Signature Date



Richard S. Mannheimer
Public Arbitrator

6/5/00
Signature Date



Christopher J. Rogers
Industry Arbitrator

6-2-00
Signature Date

June 5, 2000
Date of Service