

Award
NASD Regulation, Inc.

In the Matter of the Arbitration Between:

Steven J. Bonifas, (Claimant) vs. Prudential Securities Incorporated and
Christopher W. McDonagh (Respondents).

Case Number: 99-02414

Hearing Site: Chicago, Illinois

REPRESENTATION OF PARTIES

Steven J. Bonifas ("Bonifas"): Peter J. Berman, Esq., Peter J. Berman Ltd.,
Chicago, Illinois.

Respondent Prudential Securities Inc. ("Prudential") and Christopher W.
McDonagh ("McDonagh"): Jeanne Samuels, Esq., Office of General Counsel,
Prudential Securities, New York, New York.

CASE INFORMATION

Statement of Claim filed on or about: May 25, 1999

Claimant Bonifas signed the Uniform Submission Agreement: May 19, 1999

Statement of Answer filed by Respondents Prudential and McDonagh on or
about: August 12, 1999

CASE SUMMARY

Claimant asserted the following causes of action: Misrepresentation,
unsuitability, violation of securities laws, violation of NASD rules, negligence, and
breach of fiduciary duty.

Unless specifically admitted in its Answer, Respondents Prudential and
McDonagh denied the allegations made in the Statement of Claim.

RELIEF REQUESTED

Claimant Bonifas requested:

Compensatory Damages	\$862,492.00
Punitive Damages	unspecified
Attorneys' Fees	unspecified
Other Costs	unspecified

Respondent McDonagh requested:

Other non-monetary relief:

expungement of CRD

OTHER ISSUES CONSIDERED AND DECIDED

Respondents Prudential and McDonagh did not file with the NASD Regulation, Inc. Office of Dispute Resolution a properly executed submission to arbitration but are required to submit to arbitration pursuant to the Code and having answered the claim, appeared and testified at the hearing, are bound by the determination of the Panel on all issues submitted.

Claimant reduced the relief requested from \$1,890,058.59.

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. All claims submitted by Claimant Steven J. Bonifas, including punitive damages, shall be and are hereby denied.
2. Due to the defamatory nature, the Central Registration Depository (CRD) shall expunge any and all information pertaining to this matter on Respondent Christopher W. McDonagh's CRD (#1704230). The panel understands that the award must be confirmed in a court of competent jurisdiction to enable CRD to effectuate the expungement.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Regulation, Inc. will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee

= \$375.00

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the events giving rise to the dispute. In this matter, the member firm is a party.

Member surcharge	= \$2,500.00
Pre-hearing process fee	= \$ 600.00
<u>Hearing process fee</u>	<u>= \$4,500.00</u>
Total	= \$ 7,600.00

Forum Fees and Assessments

The Panel assesses forum fees for each hearing session conducted. A hearing session is any meeting between the parties and the arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

Two (2) Pre-hearing sessions with Panel x \$375.00 = \$ 750.00

Pre-hearing conferences: December 1, 1999 1 session
January 06, 2000 1 session

Number (10) Hearing sessions x \$375.00 = \$3,750.00

Hearing Date:	May 22, 2000	2 sessions
	May 23, 2000	2 sessions
	May 24, 2000	2 sessions
	May 25, 2000	2 sessions
	May 26, 2000	2 sessions

Total Forum Fees = \$4,500.00

1. The Panel has assessed \$2,250.00 of the forum fees to Claimant Bonifas.
2. The Panel has assessed \$2,250.00 of the forum fees jointly and severally to Respondents Prudential and McDonagh.

Fee Summary

1. Claimant Bonifas shall be and hereby is solely liable for:

Initial Filing Fee	= \$ 375.00
Forum Fees	= \$2,250.00
Total Fees	= \$2,625.00
<u>Less payments</u>	<u>= \$1,700.00</u>
Balance Due NASD Regulation, Inc.	= \$ 925.00

2. Respondent Prudential shall be and hereby is solely liable for:

<u>Member Fees</u>	= \$7,600.00
<u>Total Fees</u>	= \$7,600.00
<u>Less payments</u>	= \$7,600.00
<u>Balance Due NASD Regulation, Inc.</u>	= \$ 0.00

3. Respondents Prudential and McDonagh shall be and hereby are jointly and severally liable for:

<u>Forum Fees</u>	= \$2,250.00
<u>Balance Due NASD Regulation, Inc.</u>	= \$2,250.00

All balances are due to NASD Regulation, Inc.

Concurring Arbitrators' Signatures

Nicolaus Bruns, Esq.
Public Arbitrator, Presiding Chair

Signature Date

Donald Thompson, Esq.
Public Arbitrator

Signature Date

Ronald Peters
Industry Arbitrator

Signature Date

Date of Service (For NASD office use only)

2. Respondent Prudential shall be and hereby is solely liable for:

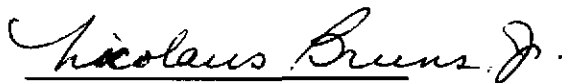
<u>Member Fees</u>	= \$7,600.00
<u>Total Fees</u>	= \$7,600.00
<u>Less payments</u>	= \$7,600.00
<u>Balance Due NASD Regulation, Inc.</u>	= \$ 0.00

3. Respondents Prudential and McDonagh shall be and hereby are jointly and severally liable for:

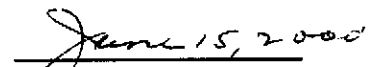
<u>Forum Fees</u>	= \$2,250.00
<u>Balance Due NASD Regulation, Inc.</u>	= \$2,250.00

All balances are due to NASD Regulation, Inc.

Concurring Arbitrators' Signatures



Nicolaus Bruns, Esq.
Public Arbitrator, Presiding Chair


Signature Date

Donald Thompson, Esq.
Public Arbitrator

Signature Date

Ronald Peters
Industry Arbitrator

Signature Date

Date of Service (For NASD office use only)

2. Respondent Prudential shall be and hereby is solely liable for:

<u>Member Fees</u>	= \$7,600.00
<u>Total Fees</u>	= \$7,600.00
<u>Less payments</u>	= \$7,600.00
<u>Balance Due NASD Regulation, Inc.</u>	= \$ 0.00

3. Respondents Prudential and McDonagh shall be and hereby are jointly and severally liable for:

<u>Forum Fees</u>	= \$2,250.00
<u>Balance Due NASD Regulation, Inc.</u>	= \$2,250.00

All balances are due to NASD Regulation, Inc.

Concurring Arbitrators' Signatures

Nicolaus Bruns, Esq.
Public Arbitrator, Presiding Chair

Signature Date


Donald Thompson, Esq.
Public Arbitrator

6/15/00
Signature Date

Ronald Peters
Industry Arbitrator

Signature Date

Date of Service (For NASD office use only)

2. Respondent Prudential shall be and hereby is solely liable for:

<u>Member Fees</u>	= \$7,600.00
<u>Total Fees</u>	= \$7,600.00
<u>Less payments</u>	= \$7,600.00
<u>Balance Due NASD Regulation, Inc.</u>	= \$ 0.00

3. Respondents Prudential and McDonagh shall be and hereby are jointly and severally liable for:

<u>Forum Fees</u>	= \$2,250.00
<u>Balance Due NASD Regulation, Inc.</u>	= \$2,250.00

All balances are due to NASD Regulation, Inc.

Concurring Arbitrators' Signatures

Nicolaus Bruns, Esq.
Public Arbitrator, Presiding Chair

Signature Date

Donald Thompson, Esq.
Public Arbitrator

Signature Date



Ronald Peters
Industry Arbitrator

06/15/00

Signature Date

Date of Service (For NASD office use only)