

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between:

Rose Mary Johnson, Claimant vs. Dean Witter Reynolds Inc., Respondent.

Case Number: 99-02936

Hearing Site: Via Conference Call

REPRESENTATION OF PARTIES

Claimant, Rose Mary Johnson, hereinafter referred to as "Claimant": Rose Mary Johnson, Fairbanks, Alaska

Respondent, Dean Witter Reynolds Inc. ("Dean Witter"), hereinafter referred to as "Respondent": Paul D. Allen, Esq., Morgan Stanley Dean Witter, San Francisco, California

CASE INFORMATION

Statement of Claim filed on or about: August 3, 1999

Claimant's Statement Against Motion to Dismiss filed on or about: February 17, 2000

Claimant, Rose Mary Johnson, signed the Uniform Submission Agreement: June 18, 1999

Statement of Answer and Motion to Dismiss filed by Respondent, Dean Witter, on or about: January 6, 2000

Respondent, Dean Witter's Reply in Support of its Motion to Dismiss filed on or about: October 20, 2000

Addendum to Respondent's Reply in Support of its Motion to Dismiss filed on or about: October 23, 2000

Respondent, Dean Witter, signed the Uniform Submission Agreement: January 6, 2000

CASE SUMMARY

Claimant alleged that the above-referenced dispute is about funds that were stolen, misappropriated and given away by employees and account executives of Dean Witter. Claimant further alleged breach of contract.

Respondent denied Claimant's allegations of wrongdoing and denied that Claimant suffered any losses or damage attributable to Respondent. Respondent alleged that Claimant's claims are time-barred and asserted affirmative defenses.

RELIEF REQUESTED

Claimant requested damages in the amount of \$35,151,800.00.

Respondent requested that Claimant's Claim be dismissed in its entirety, and that costs and attorneys' fees be assessed against Claimant.

OTHER ISSUES CONSIDERED AND DECIDED

The Panel determined 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 and documentation filed by the parties relative to Respondent's Motion to Dismiss, and the parties' arguments made during the phone conference held December 12, 2000, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Respondent's Motion to Dismiss is granted. Accordingly, all claims by Claimant, including the claim for punitive damages, are dismissed with prejudice.
2. The parties shall each bear their respective costs including attorney's fees.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution, Inc. ("NASD-DR") will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee	= \$600.00
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Member Fees

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

Member surcharge	= \$3,600.00
Pre-hearing process fee	= \$ 600.00
Hearing process fee	= \$5,000.00

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 arbitrator(s), including a pre-hearing conference with the arbitrator(s), that lasts four (4) hours or less. Fees associated with these proceedings are:

Two (2) Pre-hearing sessions x \$1,200.00	= \$2,400.00
Pre-hearing conferences: November 2, 2000	1 session
December 12, 2000	1 session
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Total Forum Fees	= \$2,400.00

The Panel has assessed the \$2,400.00 in forum fees to Claimant, Johnson.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services including, but not limited to, additional copies of arbitrator awards beyond those provided without charge, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

The parties did not incur administrative costs.

Fee Summary

1. Claimant is liable for:

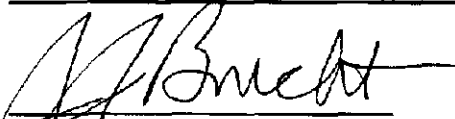
Initial Filing Fee	= \$ 600.00
Forum Fees	= \$2,400.00
<u>Administrative Costs</u>	= \$ 0.00
Total Fees	= \$3,000.00
<u>Less payments</u>	= \$1,800.00
Balance Due NASD-DR	= \$1,200.00

2. Respondent is liable for:

Member Fees	= \$9,200.00
<u>Administrative Costs</u>	= \$ 0.00
Total Fees	= \$9,200.00
<u>Less payments</u>	= \$9,200.00
Balance Due NASD-DR	= \$ 0.00

All balances are due to NASD Dispute Resolution, Inc. and are payable within 30 days of the service date of this Award.

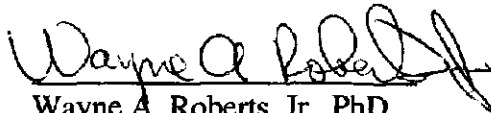
Concurring Arbitrators' Signatures



Julius Brecht, Esq.
Public Arbitrator, Presiding Chair

12/19/00
Signature Date

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Wayne A. Roberts, Jr., PhD
Public Arbitrator

12/19/00
Signature Date

Jeffrey E. Skogsbergh
Industry Arbitrator
Date Served:

Signature Date

DEC 28 2000

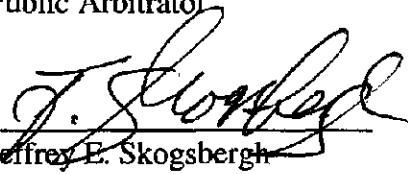
Date of Service (For NASD office use only)

NASD Dispute Resolution, Inc.

Arbitration No. 99-02936

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Wayne A. Roberts, Jr., PhD
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