

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between:

Tobie L. Gurewitz, Claimant v. Wells Fargo Securities, Inc., Respondent

Case Number: 99-03298

Hearing Site: Los Angeles, California

REPRESENTATION OF PARTIES

For Claimant:

Tobie L. Gurewitz
In Pro Per
Tarzana, California

For Respondent:

Robert T. Sullwold, Esq.
Sullwold & Hughes
San Francisco, California

CASE INFORMATION

Statement of Claim filed: July 17, 1999

Claimant's Uniform Submission Agreement signed: July 7, 1999

Statement of Answer filed by Respondent: October 5, 1999

Respondent's Uniform Submission Agreement signed: October 6, 1999

CASE SUMMARY

Claimant alleged misrepresentation and breach of contract in connection with the purchase of municipal bonds and their subsequent calls.

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

RELIEF REQUESTED

Claimant requested \$30,600.00 in compensatory damages.

Respondent requested dismissal of the Claimant's Statement of Claim in its entirety.

OTHER ISSUES CONSIDERED AND DECIDED

The parties 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, testimony, and evidence presented at the hearing, the Arbitrator decided in full and final resolution of the issues submitted for determinations follows:

Respondent, Wells Fargo Securities, Inc, is liable to and shall pay Claimant \$6,653.00 in damages.

All other relief requested not expressly granted is denied.

FEEs

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Initial claim filing fee	= \$ 150.00
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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 Wells Fargo Securities, Inc. is a party and the following fees are assessed:

Member Surcharge	= \$ 600.00
Pre-Hearing Process Fee	= \$ 600.00
<u>Hearing Process Fee</u>	<u>= \$ 1,000.00</u>
Total Member Fees	= \$2,200.00

Forum Fees and Assessments

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

(1) Pre-hearing conference session with a single arbitrator @ \$ 450.00/session	= \$	450.00
Pre-hearing conference: September 13, 2000		1 session
(1) Hearing session @ \$450.00/session	= \$	450.00
Hearing: December 6, 2000		1 session
Total Forum Fees		= \$ 900.00

The Arbitrator assessed \$900.00 of the forum *fees* to Respondent Wells Fargo Securities, Inc.

Fee Summary

Claimant, Tobie L. Gurewitz, is charged with the following fees and costs:

Initial Filing Fee	= \$	150.00
<u>Less Payments</u>	= \$	<u>(325.00)</u>
Refund due to Claimant	= \$	(175.00)

2. Respondent, Wells Fargo Securities, Inc., is charged with **the** following fees **and** costs:

Member Fees	= \$	2,200.00
<u>Forum Fees</u>	= \$	<u>900.00</u>
Total Fees	= \$	3,100.00
<u>Less Payments</u>	= \$	<u>(2,200.00)</u>
Balance Due NASD Dispute Resolution, Inc.	= \$	900.00

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

Concurring Arbitrator's Signature



Pamela Kay Nemeth
Chair, Public Arbitrator

12/6/00

Signature Date

12/6/00

Date of Service