



**New York Stock Exchange
In the Matter of Arbitration Between**

NYSE

Case: Bauer, Steven G. v. Morgan Stanley Dean Witter & Co. and Morgan Stanley Dean Witter, Inc.

Attorneys:

For Claimant(s):

H. Naill Falls, Jr. Esq. - Nashville, TN

For Respondent(s):

David D. Sterling Esq. - Houston, TX

Date Filed: 08/17/2001

First Scheduled: 07/23/2002

Decided: 08/14/2002

Case Summary: Claimant, a Public Customer, alleges unsuitability, violation of NYSE Rule 405, misrepresentation, failure to disclose information, violation of SEC Rule 10b-5, negligence, and breach of fiduciary duty. Claimant seeks damages, interest, punitive damages, interest, costs and attorneys' fees.

Product: EQU

Market:

Claim Data

Award Data

Claim: Uns

Award: \$175,000.00

Punitive: Uns

Punitive: \$0.00

Atty Fees: Uns

Atty Fees: \$0.00

Deposit: \$1,000.00

Costs: \$0.00

Forum Fees: \$4,300.00

Decision: The undersigned arbitrators have decided and determined in full and final settlement of all claims between the parties that: Claimant is awarded the sum of \$175,000.00 inclusive of interest. The New York Stock Exchange forum fees in the amount of \$4,300.00, representing four hearing sessions and one pre-hearing conference, are assessed against Respondent. All other relief not expressly granted herein is denied.

Remarks: Leonard Dunavant presided over a pre-hearing conference on June 17, 2002 to address Claimant's Motion to Compel Production.

The undersigned arbitrators hereby affirm that they have executed this instrument which is their award:

Arbitrators: (D = Dissents)

Leonard C. Dunavant

John S. Henderson

Fred M. Ridolphi

Signatures:

City: Memphis

State: TN

Date: 8-14-02

Docket #: 2001-009374

Sessions: 4 Hearing Dates:

07/23/2002 (2)

07/24/2002 (2)