MEISSNER ASSOCIATES

" When you are a David that needs to take on a Goliath "

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Brokerage "Client" Confidential Questionnaire (Please Print or Type)

Please answer all of the following questions so that we may evaluate your claim – Please do not read into the questions – every case has positive and negative aspects to it. Any one answer to any one question will not impact upon whether we believe a case should be pursued or not:

1) Client Contact information – Name, address phone (home and work)

2) How were you referred to this law firm?

3) Current Age of Client(s)

4) Marital status? How long

5) Children? If so provide ages.

6) Current employment of Client(s) (please detail the type of employment, not just name of employer)

   and how long you have been so employed?

7) Prior employment if different type and when?

8) When was the account opened/closed

9) What name was the account actually in (Trust, Personal, Business, Spouse)

10) Name of Broker(s) ,

11) Name of Brokerage Firm(s)

12) Location of Branch(es) dealt with:

13) Name of Branch Manager(s) if known.

14) How the contact with the broker was first initiated

15) Who introduced the Client

16) Is your concern about the entire account or a specific time period or type of trading in the account.

17) **(If your concerns are related to the overall management of the account throughout the time the account was open at the brokerage firm - please respond , otherwise skip to # 18**)- Did the account actually suffer a loss from "investment dollars" (as opposed to profit loss from prior trades in the account or opportunity loss)? Exactly how much "out of pocket" cash was provided to the broker by the Client throughout the relationship (if broker was associated with more than one firm during the time then obtain the breakdown losses at each firm if possible) and how much is left (accounting for any and all funds withdrawn over the lifetime of the accounts with that broker).

    a) Amount of net Losses in the Account $_____

    b) Total amount of investment dollars or securities provided to brokerage firm during the life of the account subtracting withdrawals $_____

18) **(Only answer this if you did not respond to # 17)**. If your concerns do not relate to the overall account for the entire time and there are losses that are related to delineated inappropriate activity that should be viewed as separate from the rest of the account please, detail how much those losses were and why such losses should not be offset against gains from other part of the account.

    a) Delineated Losses $$_____

    b) Explain why you delineate these losses from the rest of the management of the account:

    c) What are the overall net losses or gains in the account relating to the time frame complained of, if you know:_____

(Explanation for #17 & 18 - determining damages is not a simple task and will be the subject of our firm's analysis upon completion of the questionnaire – many claims relate to the overall management of the

account(s) and as a result one cannot isolate only the trades that resulted in losses, requiring an overall out of pocket analysis in #17. Other claims can be related to a specific time period or specific set of inappropriate transactions that are of concern and an argument can be made that such time period or transactions should be evaluated in isolation and the losses from such time period or trades should not be reduced by gains from other appropriate transactions in the account as in the net out of pocket analysis. The Meissner firm, along with its experts if appropriate, will review the facts and confirm which analysis is appropriate for your situation in screening your matter. For purposes of this questionnaire we request your view of the situation.)

19) Where did the funds derive from (savings, other brokerage, inheritance, etc - may need statements)

20) Provide the time frame involved from the point where the broker started to act inappropriately until:

      -client complained to the broker or supervisor (oral or writing?)

      - client closed the account or froze it

21) The relationship of the introducer (assuming there is one) to the broker and the client

22) Location of Client at time account was opened and location of the broker/brokerage

23) Current employment of broker if Client knows

24) Client's liquid net worth (excluding home) at time of account opening/today

25) Client's income at time of account opening/today

26) How dependent is the Client on the funds that were provided to the broker and the remaining funds now in the account?

27) Any current or previous activity of Client in Internet Chat rooms or Internet posting boards relating to investments (Yahoo, Silicon Investor, etc.)?

28) What information was provided in the account opening documents (net worth, income, investment objectives, employment, experience in trading securities/options, interest in trading stock/options/ use of margin)?

29) Did Client sign a margin agreement / has the Client signed one before with another brokerage/ has the Client used margin prior to the instant brokerage?

30) What if any oral statements were made by the broker about any particular investment in which the Client feels he misrepresented the investment or omitted information needed to assess the security.

31) How were transactions executed in the account – would the broker consult with you immediately before each transaction to obtain your approval or would he execute trades on his own?

   a) If the Answer to #31 was that the broker executed trades on his own - Did Client sign any document providing discretionary trading authority over the account to the broker (as required)?

   b) If the answer to #31(a) is No – was there ever any discussion regarding the broker exercising such discretion in conducting trades on his own?

32) Any special vulnerabilities of the Client that was relayed to the Broker orally or in writing (mental, physical incapacitation, widow, orphan) - any evidence (letters, tapes of conversations, other friends or relatives that contacted broker etc.)

33) Type of trading in the account that concerns you –examples - speculative unsuitable investments? Concentrations? day trading?, excessive margin? Conflict with original plan given to investor?- did Client seek/request such? Or was it recommended by the broker

34) Were there any investment "Plan" document(s) (explaining how the provided funds would be invested, expected client expenses, expected income, etc) given at opening or any time to the client from the brokerage, explaining the investment plan? If so please provide

35) Any Diary kept by Client relating to the activities in the account (will need to provide a copy)?

36) Important - Please <u>detail</u> any previous / simultaneous brokerage account trading experience with other firms and brokers - type of trading done at those firms. (Please attach supplemental pages if needed).

37) Did Client receive account statements and order confirmations?- how were they handled? Did Client review them upon receipt? Were they reviewed at all? If reviewed how did the Client react in the first statement where an unauthorized trade/ unauthorized margin loan / inappropriate stock, option, bond purchase took place (if you were in fact aware that there was a problem)? If so did the Client complain ever orally or in writing? If not, why not?

38) Did the Client receive any literature from the broker on any of the stocks purchased in the account (research reports, annual reports, articles etc.)? Prior to or after the purchase?

39) Is the Client aware of anyone else who had problems with this same broker? (details) would they be cooperative?

40) What did the Client do with the remaining funds in the account?

41) Has the Client invested since the experience? If so when/ where and type of investments?

42) Current financial condition?

43) Have you ever filed an Arbitration previously against any broker/investment advisor? Have you ever filed a complaint against any broker/investment advisor? – Please provide copies

44) Have you or anyone associated with the subject account filed for bankruptcy protection or expect to do so in the near future? If so please detail and indicate if the trustee (if bankruptcy has already been filed) is aware of your possible filing of an arbitration claim.

In addition to the above responses please provide:
1) **A typed narrative providing in your own words your concerns about how the account was handled (needed prior to providing any other documents).**
2) **All "Account Opening Documents" – (Customer data Information, Margin agreements if any, Option agreements if any) – please request them from the firm in writing and forward upon receipt if you do not have them.**
3) **Copies of any documents provided to the client in causing them to open an account , brochures tailored asset allocation profiles etc.**
4) **Copies of all "plan" documents if any, correspondence (including emails) and or tape recordings between client and broker/brokerage**

Please note that this information is needed to evaluate your case and to determine what the legal fee arrangement will be if we agree to accept the case. Such evaluation is provided free of charge.. If you require the return of documentation a $150 processing fee will apply prior to the return of such documents. There is no fee if you do not request the return of documents.

No attorney-client relationship has been established as of yet. Any attorney-client relationship can only be established after all potential conflicts of interest may be developed, after careful consideration of the all the relevant facts that may pertain to your particular claims or claims, and a written fee agreement is entered into. All claims arising under state or federal law have deadlines, are time sensitive and will be forever barred or lost if not brought within a specified period of time after these events occurred or should have been discovered.

Date Completed and submitted:_____

Initials:_____