

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Tai Joon Jang and Teresa Jang, Claimants v. Daehan Securities, Inc., Yong Soo Kim, and Young Jin Lee, Respondents

Case Number: 01-01215

Hearing Site: Los Angeles, California

Nature of the Dispute: Customers v. Member and Associated Persons

REPRESENTATION OF PARTIES

For Claimants Tai Joon Jang and Teresa Jang:

Marc I. Zussman, Esq.
Law Offices of Marc I. Zussman
Los Angeles, California

For Respondent Daehan Securities, Inc.:

Jay Son
Daehan Securities, Inc.
Los Angeles, California

For Respondent Yong Soo Kim:

Paul W. Poareo, Esq.
Law Offices of Paul W. Poareo
Manhattan Beach, California

For Respondent Young Jin Lee:

Laura Park Chung, Esq.
Law Offices of Laura Park Chung
Pacific Palisades, California

CASE INFORMATION

Statement of Claim filed: March 9, 2001

Claimants' Joint Uniform Submission Agreement signed: March 9, 2001

Joint Statement of Answer filed by Respondents: May 24, 2001

Respondent Daehan Securities, Inc.'s Uniform Submission Agreement signed: May 22, 2001

Respondent Yong Soo Kim's Uniform Submission Agreement signed: May 22, 2001

Respondent Young Jin Lee's Uniform Submission Agreement signed: May 22, 2001

CASE SUMMARY

Claimants alleged breach of contract, breach of fiduciary duty, unsuitability, unauthorized trading, fraud, negligent misrepresentation, violation of federal and state securities laws and of NASD and NYSE rules, and failure to supervise. Claimants' allegations concerned common shares in various common stocks, including but not limited to stock in Silicon Image, California Amplifier, F5 Networks, Geoworks, Mirae Corporation, Phang Iron & Steel, and Red Hat. Claimants' allegations also concerned the purchases of B shares in various Fidelity mutual funds, as well as in Munder NetNet Fund, and Seligman Communication & Information Fund.

Respondents denied the allegations of wrongdoing set forth in the Claimants' Statement of Claim.

RELIEF REQUESTED

Claimants requested \$404,628.00 in compensatory damages, lost opportunity of what \$950,800.00 would have earned had it been properly invested, disgorgement of all profits generated by the account, unspecified punitive damages, pre- and post-judgment interest and costs, including attorney's fees.

Respondents requested dismissal of the Claimants' Statement of Claim in its entirety and costs.

OTHER ISSUES CONSIDERED AND DECIDED

On October 27, 2003 Claimants dismissed with prejudice Respondent Young Jin Lee.

On October 7, 2003 Respondent Yong Soo Kim moved the Panel to dismiss Claimants' Statement of Claim in its entirety. Claimants' filed an opposition on October 22, 2003 and Respondent Kim filed a reply on October 23, 2003. On October 28, 2003 the Panel heard oral arguments on the motion. After due deliberation, the Panel declined to rule on the motion pending the final outcome of the case.

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 Panel decided in full and final resolution of the issues submitted for determination as follows:

- 1) Claimants' claims are denied in their entirety.
- 2) The parties shall bear their respective costs, including attorney's fees.
- 3) All other relief requested and not expressly granted is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Initial claim filing fee	= \$ 300.00
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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 events that gave rise to the dispute, claim, or controversy. Accordingly, the member firm Daehan Securities, Inc. is a party and the following fees are assessed:

Member Surcharge	= \$1,500.00
Pre-Hearing Process Fee	= \$ 600.00
<u>Hearing Process Fee</u>	<u>= \$2,500.00</u>
Total Member Fees	= \$4,600.00

Adjournment Fees

The following adjournment fees are assessed:

March 26-28, 2002, adjournment requested by Respondents Daehan Securities, Inc., Yong Soo Kim, and Young Jin Lee	= \$1,125.00
December 11-13, 2002, adjournment requested by Young Jin Lee	= \$1,125.00
March 11-13, 2003, adjournment requested by Respondent Yong Soo Kim	= \$1,125.00

Forum Fees and Assessments

The Panel 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 or the parties and the Panel. The following fees are assessed:

One (1) Pre-hearing conference session with a single arbitrator @ \$450.00/session	= \$ 450.00
Pre-hearing conference: March 5, 2002	1 session
One (1) Pre-hearing conference session with the Panel @ \$1,125.00/session	= \$1,125.00
Pre-hearing conference: September 25, 2001	1 session

Four (4) Hearing sessions @ \$1,125.00/session = \$4,500.00

Hearings:	October 28, 2003	1 session
	October 29, 2003	1 session
	October 30, 2003	1 session
	December 2, 2003	1 session

Total Forum Fees = \$ 6,075.00

1. The Panel assessed \$3,037.50 of the forum fees jointly and severally to Claimants.
2. The Panel assessed \$3,037.50 of the forum fees jointly and severally to Respondents Daehan Securities, Inc. and Yong Soo Kim.

Administrative Costs

Administrative costs are expenses incurred because a party requested additional services beyond the normal administrative services. These additional services include, but are not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, security, and sundry other requests.

Claimants requested 5 copies of audiotapes: = \$ 75.00

Fee Summary

1. Claimants Tai Joon Jang and Teresa Jang are charged jointly and severally charged with the following fees and costs:

Initial Filing Fee	= \$ 300.00
Forum Fees	= \$ 3,037.50
<u>Administrative Costs</u>	= \$ 75.00
Total Fees	= \$ 3,412.50
<u>Less payments</u>	= \$(1,500.00)
Balance Due NASD Dispute Resolution	= \$ 1,912.50

2. Respondent Daehan Securities, Inc. is charged with the following fees and costs:

Member Fees	= \$ 4,600.00
<u>Less payments</u>	= \$(4,600.00)
Balance Due NASD Dispute Resolution	= \$ 0.00

3. Respondent Young Jin Lee is charged with the following fees and costs:

Adjournment Fee	= \$ 1,125.00
<u>Less payments</u>	= \$(0.00)
Balance Due NASD Dispute Resolution	= \$ 1,125.00

4. Respondent Yong Soo Kim is charged with the following fees and costs:

Adjournment Fee	= \$ 1,125.00
<u>Less payments</u>	= \$(0.00)
Balance Due NASD Dispute Resolution	= \$ 1,125.00

5. Respondents Daehan Securities, Inc., Young Jin Lee and Yong Soo Kim are charged jointly and severally with the following fees and costs:

Adjournment Fee	= \$ 1,125.00
<u>Less payments made by Daehan Securities, Inc.</u>	= \$(1,125.00)
Balance Due NASD Dispute Resolution	= \$ 0.00

6. Respondents Daehan Securities, Inc. and Yong Soo Kim are charged jointly and severally with the following fees and costs:

Forum Fees	= \$ 3,037.50
<u>Less payments</u>	= \$(0.00)
Balance Due NASD Dispute Resolution	= \$ 3,037.50

All balances are payable to NASD Dispute Resolution and are due upon the receipt of the Award pursuant to Rule 10330(g) of the Code.


ARBITRATION PANEL


Lambert M. Javelera, Esq.
William Berks
Oron Peretz

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Public Arbitrator, Presiding Chair
Public Arbitrator
Non-Public Arbitrator

Concurring Arbitrators' Signatures


Lambert M. Javelera, Esq.
Chair, Public Arbitrator

12/4/03

Signature Date

William Berks
Public Arbitrator

Signature Date

Oron Peretz
Non-Public Arbitrator

Signature Date

12/05/03
Date of Service

ARBITRATION PANEL

Lambert M. Javelera, Esq.	•	Public Arbitrator, Presiding Chair
William Berks	•	Public Arbitrator
Oren Perez	•	Non-Public Arbitrator

Concurring Arbitrators' Signatures

Lambert M. Javelera, Esq.
Chair, Public Arbitrator

Signature Date


William Berks
Public Arbitrator

December 5, 2003
Signature Date

Oren Perez
Non-Public Arbitrator

Signature Date

12/05/03
Date of Service

ARBITRATION PANEL

Lambert M. Javelera, Esq.
William Berks
Oren Peretz

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Public Arbitrator, Presiding Chair
Public Arbitrator
Non-Public Arbitrator

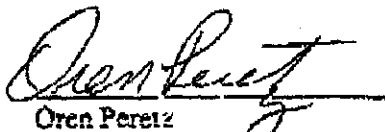
Concurring Arbitrators' Signatures

Lambert M. Javelera, Esq.
Chair, Public Arbitrator

Signature Date

William Berks
Public Arbitrator

Signature Date



Oren Peretz
Non-Public Arbitrator

12/5/2003
Signature Date

12/05/03
Date of Service