

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Brookstreet Securities Corp., Claimant and Counter-respondent v. Amanda Makki, Respondent and Counterclaimant

Case Number: 01-01403

Hearing Site: Los Angeles, California

REPRESENTATION OF PARTIES

For Claimant/Counter-respondent:

Elizabeth Lowery
Fields, Fehn, & Sherwin
Los Angeles, California

For Respondent/Counterclaimant:

Laurie J. Butler
Tourtelot & Butler
Los Angeles, California

CASE INFORMATION

Statement of Claim filed: March 20, 2001

Claimant's Uniform Submission Agreement signed: March 12, 2001

Statement of Answer and Counterclaim filed by Respondent Amanda Makki: May 10, 2001

Amended Statement of Answer and Counterclaim filed by Respondent Amanda Makki:
May 25, 2001

Respondent's Uniform Submission Agreement signed: May 7, 2001

Statement of Answer to Counterclaim filed by Counter-respondent Brookstreet Securities Corp.:
April 23, 2002

CASE SUMMARY

Claimant alleged monies owed on an unsecured debit balance involving losses incurred in the trading of unspecified securities.

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

and filed a Counterclaim requesting declaratory relief and alleging breach of contract and money had and received.

RELIEF REQUESTED

Claimant requested \$51,557.00 in compensatory damages, interest, and costs, including attorney's fees.

Respondent requested dismissal of the Claimant's Statement of Claim in its entirety and costs and filed a counterclaim requesting unspecified compensatory damages, interest, and costs, including attorney's fees.

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

- 1) Respondent Amanda Makki is liable to and shall pay Claimant Brookstreet Securities Corp. the sum of \$52,830.00 in compensatory damages.
- 2) Respondent Amanda Makki is liable to and shall reimburse Claimant Brookstreet Securities Corp. the sum of \$1,000.00 in filing fee costs.
- 3) Counter-claimant Amanda Makki's claims are denied in their entirety.
- 4) Except as specifically set forth in paragraph 2) immediately above, the parties shall pay their respective costs and attorney's fees.
- 5) 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	= \$1,000.00
Respondent Amanda Makki's Counterclaim filing fee	= \$ 250.00

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, Brookstreet Securities, Inc., is a party and the following fees are assessed:

Member Surcharge	= \$1,000.00
Pre-Hearing Process Fee	= \$ 600.00
<u>Hearing Process Fee</u>	<u>= \$2,000.00</u>
Total Member Fees	= \$3,600.00

Adjournment Fees

The following adjournment fees are assessed:

March 18-19, 2002 Hearing Dates, adjournment requested by Respondent Amanda Makki	= \$ 750.00
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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 between the parties and the Panel. The following fees are assessed:

One (1) Pre-hearing conference session with the Panel @ \$1,000.00/session	= \$ 1,000.00
Pre-hearing conference: August 27, 2001 1 session	
Two (2) Hearing sessions @ \$1,000.00/session	= \$2,000.00
<u>Hearings: July 15, 2002 2 sessions</u>	<u></u>
Total Forum Fees	= \$3,000.00

The Panel assessed the full amount of the forum fees in the sum of \$3,000.00 to Respondent Amanda Makki.

Fee Summary

1. Claimant Brookstreet Securities, Inc. is charged with the following fees and costs:

Initial Filing Fee	= \$1,000.00
<u>Member Fees</u>	= \$3,600.00
Total Fees	= \$4,600.00
<u>Less payments</u>	=(\$5,350.00)
Refund Due From NASD Dispute Resolution	=(\$ 750.00)

2. Respondent Amanda Makki is charged with the following fees and costs:

Counterclaim Filing Fee	= \$ 250.00
Adjournment Fee	= \$ 750.00
<u>Forum Fees</u>	= \$3,000.00
Total Fees	= \$4,000.00
<u>Less payments</u>	=(\$1,250.00)
Balance Due NASD Dispute Resolution	= \$2,750.00

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.

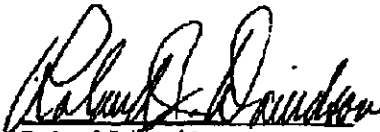
ARBITRATION PANEL

Roland J. Davidson
Ernest L. Burnside
Anatoly Zuban

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-
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Public Arbitrator, Presiding Chair
Public Arbitrator
Non-Public Arbitrator

Concurring Arbitrators' Signatures



Roland J. Davidson
Chair, Public Arbitrator

08/12/02

Signature Date

Ernest L. Burnside
Public Arbitrator

Signature Date

Anatoly Zuban
Non-Public Arbitrator

Signature Date

8/13/02

Date of Service

NASD Dispute Resolution
Arbitration No. 01-01403
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Ernest L. Burnside
Anatoly Zuban

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Public Arbitrator, Presiding Chair
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Non-Public Arbitrator

Concurring Arbitrators' Signatures

Roland J. Davidson
Chair, Public Arbitrator

Signature Date



Ernest L. Burnside
Public Arbitrator

8/12/02
Signature Date

Anatoly Zuban
Non-Public Arbitrator

Signature Date

8/13/02
Date of Service

ARBITRATION PANEL

Roland J. Davidson	-	Public Arbitrator, Presiding Chair
Ernest L. Burnside	.	Public Arbitrator
Anatoly Zuban	-	Non-Public Arbitrator

Consenting Arbitrators' Signatures

Roland J. Davidson
Chair, Public Arbitrator

Signature | Date

Ernest L. Burnside
Public Arbitrator

Signature Date

A. Tony Zuban
Anatoly Zuban
Non-Public Arbitrator

8-12-2002
Signature Date

8-13-02
Date of Service