

Stipulated Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Iran Moosiki, Claimant v. UBS Financial Services Inc. f/k/a UBS PaineWebber Inc., Lynne L. Thompson, and Michael Connoles, Respondents

Case Number: 03-02366

Hearing Site: Los Angeles, California

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

REPRESENTATION OF PARTIES

For Claimant:

Michael Roofian, Esq.
Michael Roofian & Associates, P.C.
Los Angeles, California

For Respondents:

Robert H. Logan, Esq.
Kathleen S. Adams, Esq.
Keesal, Young & Logan
Long Beach, California

CASE INFORMATION

Statement of Claim filed: March 27, 2003

Claimant's Uniform Submission Agreement signed: March 6, 2003

Joint Statement of Answer filed by Respondents: May 30, 2003

Respondent UBS Financial Services Inc. f/k/a UBS PaineWebber Inc.'s Uniform Submission Agreement signed: May 27, 2003

Respondent Lynne L. Thompson's Uniform Submission Agreement signed: May 14, 2003

Respondent Michael Connoles's Uniform Submission Agreement signed: May 14, 2003

CASE SUMMARY

Claimant alleged unsuitability, materials misrepresentations and omissions of fact, breach of fiduciary duty, failure to supervise, negligence, and elder abuse, involving unspecified securities.

Respondents denied the allegations of wrongdoing set forth in the Claimant's Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimant requested \$323,215.09 in compensatory damages; disgorgement of commissions, margin interest and any other compensation; unspecified punitive damages; interest at the highest legal rate; and costs, including attorney's fees and consulting fees.

Respondents requested dismissal of the Claimant's Statement of Claim in its entirety, costs, including attorney's fees, and expungement of this claim from Respondents Lynne L. Thompson and Michael Connole's registration records maintained by the NASD Central Registration Depository ("CRD").

OTHER ISSUES CONSIDERED AND DECIDED

On August 8, 2003, Claimant and Claimant's counsel signed a Waiver Agreement expressly waiving any and all rights and benefits under California Civil Code Section 1542 and the California Ethical Standards for Neutral Arbitrators.

On August 7, 2003, Respondents UBS Financial Services Inc. f/k/a UBS PaineWebber Inc., Lynne L. Thompson, and Michael Connole's counsel signed a Waiver Agreement on their behalf expressly waiving any and all rights and benefits under California Civil Code Section 1542 and the California Ethical Standards for Neutral Arbitrators.

On July 8, 2004, Claimant dismissed with prejudice Respondents Lynne L. Thompson and Michael Connole.

The parties agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

STIPULATION

1. The parties have entered into a confidential settlement agreement pursuant to which Claimant has agreed to dismiss their claims with prejudice.
2. Claimant does not object to the Panel rendering the following Award.

AWARD

After considering the pleadings and the Parties' request for this Stipulated Award, the Panel decided in full and final resolution of the issues submitted for determination as follows:

1. Claimant's claims against Respondents are dismissed with prejudice.
2. The Panel recommends the expungement of all reference to the above captioned arbitration from Respondent Lynne L. Thompson's registration records maintained by the CRD, with the understanding that pursuant to NASD Notice to Members 99-09 and 99-54, Respondent Lynne L. Thompson must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.
3. The Panel recommends the expungement of all reference to the above captioned arbitration from Respondent Michael Connole's registration records maintained by the CRD, with the understanding that pursuant to NASD Notice to Members 99-09 and 99-54, Respondent Michael Connole must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.
4. The parties shall bear their respective costs, including 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 = \$ 300.00

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 which gave rise to the dispute, claim, or controversy. Accordingly, the member firm UBS Financial Services Inc. f/k/a UBS PaineWebber Inc. is a party and the following fees are assessed:

Member Surcharge	= \$ 1,700.00
Pre-Hearing Process Fee	= \$ 750.00
<u>Hearing Process Fee</u>	<u>= \$ 2,750.00</u>
Total Member Fees	= \$ 5,200.00

Adjournment Fees

The following adjournment fees are assessed:

July 27-30, 2004 hearing adjournment requested by parties = \$ 1,125.00

1. The Panel assessed \$562.50 of the adjournment fees to Claimant.
2. The Panel assessed \$562.50 of the adjournment fees to Respondent UBS Financial Services Inc. f/k/a UBS PaineWebber Inc.

Three-Day Cancellation Fees

Three-day cancellation fees apply when a hearing on the merits is postponed or settled within three business days before the start of the first scheduled hearing session. The following three-day cancellation fees are assessed:

Cancellation of November 16-19, 2004 hearings dates: = \$ 300.00

- 1 The Panel assessed \$150.00 of the three-day cancellation fee to Claimant.
- 2 The Panel assessed \$150.00 of the three-day cancellation fee to Respondent UBS Financial Services Inc. f/k/a UBS PaineWebber Inc.

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 Panel. The following fees are assessed:

- 1 Pre-hearing conference session with the Panel @ \$1,125.00/session = \$ 1,125.00
Pre-hearing conference: November 10, 2003 1 session

Total Forum Fees = \$ 1,125.00

1. The Panel assessed \$562.50 of the forum fees to Claimant.
2. The Panel assessed \$562.50 of the forum fees jointly and severally to Respondents.

Fee Summary

1. Claimant is charged with the following fees and costs:

Initial Filing Fee	= \$ 300.00
Adjournment Fee	= \$ 562.50
3-Day Cancellation Fee	= \$ 150.00
<u>Forum Fees</u>	<u>= \$ 562.50</u>
Total Fees	= \$ 1,575.00
Retained deposit in accordance with Rule 10332(f) of the Code	= \$ 562.50
<u>Less payments</u>	<u>= \$(1,425.00)</u>
Balance Due NASD Dispute Resolution	= \$ 712.50

2. Respondent UBS Financial Services Inc. f/k/a UBS PaineWebber Inc. is charged with the following fees and costs:

Member Fees	= \$ 5,200.00
Adjournment Fee	= \$ 562.50
<u>3-Day Cancellation Fee</u>	<u>= \$ 150.00</u>
Total Fees	= \$ 5,912.50
<u>Less payments</u>	<u>= \$(5,912.50)</u>
Balance Due NASD Dispute Resolution	= \$ 0.00

3. Respondents are charged jointly and severally with the following fees and costs:

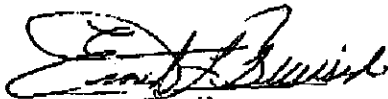
Forum Fees	= \$ 562.50
Less payments made by Respondent UBS Financial Services Inc. f/k/a UBS PaineWebber Inc.	= \$(2,037.50)
Refund Due Respondent UBS Financial Services Inc. f/k/a UBS PaineWebber Inc.	= \$(1,475.00)

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

Ernest L. Burnside	-	Public Arbitrator, Presiding Chair
Elliott Zachary Seff	-	Public Arbitrator
Anatoly Zuban	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures



Ernest L. Burnside
Chair, Public Arbitrator

10/10/05

Signature Date

Elliott Zachary Seff
Public Arbitrator

Signature Date

Anatoly Zuban
Non-Public Arbitrator

Signature Date

10/11/05
Date of Service

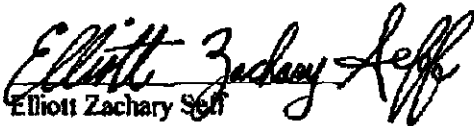
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Ernest L. Burnside	-	Public Arbitrator, Presiding Chair
Elliott Zachary Self	-	Public Arbitrator
Anatoly Zuban	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

Ernest L. Burnside
Chair, Public Arbitrator

Signature Date


Elliott Zachary Self
Public Arbitrator

October 6, 2005
Signature Date

Anatoly Zuban
Non-Public Arbitrator

Signature Date

10/11/05
Date of Service

ARBITRATION PANEL

Ernest L. Burnside	-	Public Arbitrator, Presiding Chair
Elliott Zachary Seff	-	Public Arbitrator
Anatoly Zuban	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

Ernest L. Burnside
Chair, Public Arbitrator

Signature Date

Elliott Zachary Seff
Public Arbitrator

Signature Date

a. Tony Zuban
Anatoly Zuban
Non-Public Arbitrator

10-6-05
Signature Date

10/11/05
Date of Service