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**Stipulated Award**  
**NASD Dispute Resolution**

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In the Matter of the Arbitration Between:

Name of the Claimant

H&R Block Financial Advisors, Inc.

Case Number: 04-02540

Name of the Respondent

Michael Abushanab

Hearing Site: New Orleans, LA

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Nature of the Dispute: Member v. Customer.

**REPRESENTATION OF PARTIES**

For H&R Block Financial Advisors, Inc. ("HRBFA"), hereinafter referred to as "Claimant":  
Donald P. Wray, Jr., Esq., Assistant General Counsel, HRBFA, Detroit, MI.

For Michael Abushanab, hereinafter referred to as "Respondent": Jack G. Wheeler, Esq., Fraser,  
Morris & Wheeler L.L.P., Lake Charles, LA.

**CASE INFORMATION**

Statement of Claim filed on or about: April 8, 2004.

Claimant signed the Uniform Submission Agreement: September 22, 2004.

Respondent did not file a Statement of Answer or executed Uniform Submission Agreement.

**CASE SUMMARY**

The parties requested execution of a Stipulated Award stemming from their settlement of NASD Dispute Resolution Case Number 99-04131.

**RELIEF REQUESTED**

The parties requested (via Stipulated Award) that reference to NASD Dispute Resolution Case Number 99-04131 be expunged from the NASD Central Registration Depository ("CRD") records of Mr. Vijay Reddy.

**OTHER ISSUES CONSIDERED AND DECIDED**

Respondent did not file with NASD Dispute Resolution a properly executed Uniform Submission Agreement but, by filing a Stipulated Statement of Claim For Issuance of Stipulated Award, is deemed to have consented to the jurisdiction of NASD Dispute Resolution.

**AWARD**

After considering the pleadings and the proposed Stipulated Award, the undersigned arbitrator (the "Arbitrator") has decided in full and final resolution of the issues submitted for

determination as follows:

The Arbitrator recommends the expungement of all references to NASD Dispute Resolution Case Number 99-04131 from Mr. Vijay Reddy's registration records maintained by the NASD CRD, with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, Mr. Reddy must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.

### **FEES**

Pursuant to the NASD Code of Arbitration Procedure (the "Code"), the following fees are assessed:

#### **Filing Fees**

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

Initial claim filing fee	= \$ 500.00
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#### **Member Fees**

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. Accordingly, Claimant HRBFA is a party and a member firm.

Member surcharge	= \$1,500.00
Pre-hearing process fee	= \$ 750.00

#### **Adjournment Fees**

Adjournments granted during these proceedings for which fees were assessed:

There were no adjournment fees assessed during the proceedings.

#### **Three-Day Cancellation Fees**

Fees apply when a hearing on the merits is postponed or settled within three business days before the start of a scheduled hearing session:

There were no three-day cancellation fees assessed during the proceedings.

#### **Injunctive Relief Fees**

Injunctive relief fees are assessed to each member or associated person who files for a temporary injunction in court. Parties in these cases are also assessed arbitrator travel expenses and costs when an arbitrator is required to travel outside his or her hearing location and additional arbitrator honoraria for the hearing for permanent injunction. These fees, except the injunctive relief surcharge, are assessed equally against each party unless otherwise directed by the panel.

There were no injunctive relief fees assessed during these proceedings.

#### **Forum Fees and Assessments**

The Panel has assessed forum fees for each session conducted. A session is any meeting between the parties and the arbitrator(s), including a pre-hearing conference with the arbitrator(s), that lasts four (4) hours or less. Fees associated with these proceedings are:

There were no forum fees assessed during these proceedings.

**Administrative Costs**

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

There were no administrative costs assessed during these proceedings.

**Fee Summary**

Claimant is solely liable for:

Initial Filing Fee	= \$ 500.00
<u>Member Fees</u>	<u>= \$2,250.00</u>
Total Fees	= \$2,750.00
<u>Less payments</u>	<u>= \$2,750.00</u>
Balance Due NASD Dispute Resolution	= \$ 0.00

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

**ARBITRATION PANEL**

Louis L. Plotkin, Esq.

- Public Arbitrator, Presiding Chairperson

**Arbitrator's Signature**

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/s/  
Louis L. Plotkin, Esq.  
Public Arbitrator, Presiding Chairperson

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Signature Date

January 13, 2006

Date of Service (For NASD Dispute Resolution office use only)

Jan. 13, 2006, 1:52PM  
NASD Dispute Resolution  
Arbitration No. 04-02540  
Stipulated Award Page 3

No. 0803 P. 4

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Louis L. Plotkin, Esq.

Public Arbitrator, Presiding Chairperson

**Arbitrator's Signature**



Louis L. Plotkin, Esq.  
Public Arbitrator, Presiding Chairperson

1/13/06

Signature Date

Date of Service (For NASD Dispute Resolution office use only)