

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

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In the Matter of the Arbitration Between:  
Young Soo So, Claimant v. Shin Han Global Securities f/k/a CHK Global Securities,  
Respondent

Case Number: 06-00986

Hearing Site: Los Angeles, California

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Nature of the Dispute: Customer v. Member

**REPRESENTATION OF PARTIES**

For Claimant:

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

For Respondent:

H. Thomas Fehn, Esq.  
Fields, Fehn & Sherwin  
Los Angeles, California

**CASE INFORMATION**

Statement of Claim filed: February 23, 2006

Claimant's Uniform Submission Agreement signed: February 17, 2006

Statement of Answer filed by Respondent: May 16, 2006

Respondent's Uniform Submission Agreement signed: May 17, 2006

**CASE SUMMARY**

Claimant alleged breach of fiduciary duty, breach of contract, unsuitable investment recommendations, churning, fraud, reckless use of margin, negligent misrepresentations, failure to supervise, and violations of federal and state securities laws, NASD conduct rules, and NYSE rules. Claimant's claims involved transactions in Broadvision Inc. stock.

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

### **RELIEF REQUESTED**

Claimant requested \$162,211.78 in compensatory damages, unspecified punitive damages, lost opportunity costs, all profits generated from Claimant's account, pre- and post-judgment interest, and costs, including attorney's fees, expert witness fees, and accounting fees.

Respondent requested dismissal of Claimant's Statement of Claim in its entirety and costs, including attorney's fees.

### **OTHER ISSUES CONSIDERED AND DECIDED**

On January 26, 2007, Claimant filed a Motion to Amend the Statement of Claim to modify Respondent's name from CHK Global Securities to Shin Han Global Securities f/k/a CHK Global Securities. Respondent did not object to the amendment. On January 30, 2007, the Arbitration Panel issued an Order approving Claimant's Motion to Amend.

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 is liable to and shall pay Claimant the sum of \$100,000.00 in compensatory damages.
- 2) Respondent is liable to and shall pay Claimant interest on \$100,000.00 at the rate of 7% per annum from June 1, 2004 until February 6, 2007.
- 3) The parties shall bear their respective costs, including attorney's fees.
- 4) 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 Shin Han Global Securities f/k/a CHK Global Securities is a party and the following fees are assessed:

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

### **Forum Fees and Assessments**

The Panel assessed forum fees for each session conducted or each decision rendered on a discovery-related motion on the papers. 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:

1 Pre-hearing conference session with the Panel @ \$1,125.00/session	= \$ 1,125.00
Pre-hearing conference: August 30, 2006 1 session	

3 Hearing sessions @ \$1,125.00/session	= \$ 3,375.00
Hearings: February 5, 2007 2 sessions	
February 6, 2007 1 session	

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<b>Total Forum Fees</b>	<b>= \$ 4,500.00</b>
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The Panel assessed \$4,500.00 of the forum fees to Respondent.

### **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.

Claimant requested 40 photocopies @ \$0.25 each:	= \$ 10.00
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**Fee Summary**

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

Initial Filing Fee	= \$ 300.00
Administrative Costs	= \$ 10.00
Total Fees	= \$ 310.00
Less payments	= \$(1,425.00)
<b>Refund Due Claimant</b>	<b>= \$(1,115.00)</b>

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


Member Fees	= \$ 5,200.00
Forum Fees	= \$ 4,500.00
Total Fees	= \$ 9,700.00
Less payments	= \$(5,200.00)
<b>Balance Due NASD Dispute Resolution</b>	<b>= \$ 4,500.00</b>

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**

Annette Gres Shepherd	-	Public Arbitrator, Presiding Chair
Mario H. Metzger	-	Public Arbitrator
Robert A. Weinman	-	Non-Public Arbitrator

**Concurring Arbitrators' Signatures**

  
Annette Gres Shepherd  
Chair, Public Arbitrator

  
Signature Date

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Mario H. Metzger  
Public Arbitrator

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Robert A. Weinman  
Non-Public Arbitrator


\_\_\_\_\_  
Signature Date

  
Date of Service

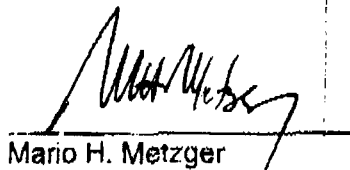
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Annette Gres Shepherd  
Chair, Public Arbitrator

2/06/07  
Signature Date

  
Mario H. Metzger  
Public Arbitrator

2/6/07  
Signature Date

Robert A. Weinman  
Non-Public Arbitrator

\_\_\_\_\_  
Signature Date

February 7, 2007  
Date of Service

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Mario H. Metzger	-	Public Arbitrator
Robert A. Weinman	-	Non-Public Arbitrator

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Chair, Public Arbitrator

2/06/07  
Signature Date

**Marlo H. Metzger**  
Public Arbitrator

**Signature Date**

  
Robert A. Weinman  
Non-Public Arbitrator

2-6-07  
Signature Date

February 7, 2007  
Date of Service