

**NATIONAL ASSOCIATION OF SECURITIES DEALERS
AWARD**

In the Matter of the Arbitration Between

Homan Hamidi,

Claimant,

v.

NASD No. 94-2253

Trigem Amerstock Corporation
and Deepesh Patel,

Respondents.

Representation

For Claimant: Pro se, Irvine, California

For Respondent Trigem Amerstock: Irving Einhorn, Esq. of Einhorn and Edgerton, Los Angeles, California

For Respondent Deepesh Patel: Amy Peters, Esq. of Diamond Bar , California

Case Information

Statement of Claim filed: June 13, 1994

Claimant's Submission Agreement signed: June 8, 1994

Statement of Answer filed on: Trigem Amerstock - September 2, 1994, Patel - June 20, 1995

Respondents' Submission Agreement signed on: Trigem Amerstock - September 2, 1994.
Although duly served, Deepesh Patel did not file a submission agreement but is subject to National Association of Securities Dealers (NASD) jurisdiction in accordance with NASD Code of Arbitration Procedure Section 12.

Hearing Information

Prehearing Conference Date(s)/Sessions: None

Hearing Date/Sessions: May 9, 1995/one, September 28, 1995/one

Hearing Location: Los Angeles, California

Case Summary

Claimant alleged misrepresentation and lack of suitability in the purchase of Spectrum Signal Processing, Inc. (Spectrum). Claimant further alleged that respondents represented Spectrum as having developed a new technology in digital sound processing and was signing an exclusive contract with IBM. Claimant also maintained that respondents stated that as a result of this agreement the stock would experience a substantial increase in price.

Respondent Trigem Amerstock (Trigem) alleged it did not sponsor the security in question as the purchase was done on an agency basis. Trigem alleged that respondent Deepesh Patel (Patel) discussed Spectrum with claimant and claimant decided to make the purchase. Trigem also alleged that Patel made no statements regarding insider information and that he suggested claimant sell the stock. Trigem asserted that the price of Spectrum eventually went so low that claimant was confronted with a significant margin call which he did not meet and his account was liquidated.

Respondent Trigem asserted a counter-claim for \$479.27 based on his margin loan which was not paid when his stock position was liquidated.

Respondent Patel alleged he supplied published information to claimant regarding Spectrum and informed him of the inherently risky nature of margin accounts. Patel also alleged that claimant was supplied with regular statements and was, or should have been, aware that a fall in the price could result in a sizeable margin call. Patel maintained that on March 30, 1994 he recommended to those clients holding Spectrum that they sell, but claimant refused to do so. Patel asserted that claimant's account was liquidated when he failed to meet his margin call.

Relief Requested

Claimant requested compensatory damages of \$23,332.:

Respondent Trigem requested \$497.27, plus interest, attorney's fees and costs.

Other Issues Considered and Decided

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered. In either case, the parties have agreed to receive conformed copies of the Award while the originals remain on file with the NASD.

Respondent Trigem Amerstock settled with claimant at the first day of hearing.

Award

After considering the pleadings, the testimony and the evidence presented at the hearing, the undersigned arbitrators have decided in full and final resolution of the issues submitted for determination as follows:

1. Respondent Patel is liable for and shall pay claimant \$6,000, plus interest at the legal rate in the State of California from the date of the award to the date paid;
2. All other claims are dismissed;
3. All counter-claims are dismissed;
4. The parties shall each bear their respective attorney's fees;
5. The parties shall each bear their respective costs.

Other Costs

None.

Forum Fees

Pursuant to Section 43(c) of the Code of Arbitration Procedure, the following forum fees are assessed: The National Association of Securities Dealers, Inc., shall retain the \$300 hearing session deposit previously paid by the claimant. Forum fees are assessed against claimant for \$300 and respondent Patel for \$300, calculated as follows:

Total forum fees assessed (two sessions @ \$300/session)	\$	600
Claimant's assessment		300
Claimant's balance due		0
Respondent Patel's assessment		300
Respondent Patel's balance due		300

No adjournment fees were assessed.

Fees are payable to the National Association of Securities Dealers, Inc.

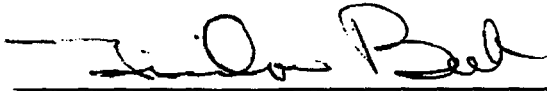
Arbitration Panel

Name

Public/Industry

Isidoro Berkman

Public


Isidoro Berkman

Date of Decision: 10-23-95

Date served: 10/25/95