

Award
NASD Regulation, Inc.

In the Matter of the Arbitration Between:

Jehan Zeb Mir, MD, Claimant v. Barrett Day Securities, Inc., Mohammed Ali Kahn and Saeed Naqzi, Respondents.

Case Number: 95-03901

Hearing Site: Los Angeles, California

REPRESENTATION OF PARTIES

For Claimant:

Jehan Zeb Mir, MD
Pro Se
Lynwood, California

For Respondent Mohammed Ali Kahn:

Did not appear.

CASE INFORMATION

Statement of Claim filed: August 7, 1995

Claimant's Uniform Submission Agreement signed: September 8, 1995

Statement of Answer filed by Respondent, Mohammed Ali Kahn: October 27, 1997

CASE SUMMARY

Claimant alleged the following causes of action: fraud and unauthorized trading.

Respondent, Mohammed Ali Kahn, denied the allegations of wrongdoing set forth in the Claimant's Statement of Claim.

RELIEF REQUESTED

Claimant requested \$26,000 in compensatory damages.

Respondent Mohammed Ali Kahn requested dismissal of the Claimant's Statement of Claim in its entirety, reimbursement of costs, and attorney's fees.

OTHER ISSUES CONSIDERED AND DECIDED

On August 5, 1997, the NASD was informed that Respondent Barrett Day Securities, Inc. declared bankruptcy.

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.

AWARD

After considering the pleadings, the evidence presented at the hearing, and the post-hearing submissions if applicable, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

- 1) The cause is severed as against Respondent, Barrett Day Securities, Inc., by virtue of the automatic stay of proceedings against it under 11 USC 362(a).
- 2) The cause is severed as against Respondent, Saeed Naqzi, for lack of evidence of due service of the Statement of Claim upon him.
- 3) Claimant, Jehan Zeb Mir, MD, shall have and is awarded against respondent Mohammed Ali Khan, only, the sum of \$25,662.00 compensatory damages plus \$19,108.00 pre-award interest, plus \$650.00 costs of suit, making a total of \$46,420.00. This award arises from and is based upon intentional fraud and intentional wrongdoing by the Respondent Mohammed Ali Khan in the transactions at issue herein.
- 4) All relief not expressly granted, deferred or severed is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Regulation, Inc. has received or will collect the non-refundable filing fees for each claim as follows:

Initial claim filing fee	= \$ 100.00
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Adjournment Fees

The following adjournment fees are assessed:

July 30, 1997 and July 31, 1997, adjournment requested by Mohammed Ali Khan	= \$ 400.00
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November 25, 1997, adjournment requested by Jehan Zeb Mir, MD	= \$ 400.00
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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/Panel. The following fees are assessed:

(1) Pre-hearing conference session with the Panel @ \$400.00	= \$400.00
Pre-hearing conference: February 27, 1997	1 session

(1) Hearing session @ \$400.00	= \$ 400.00
Hearing: October 18, 1999	1 session

Total Forum Fees	= \$ 800.00
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1. The Arbitration Panel has assessed \$ 800.00 of the forum fees to Respondent Mohammed Ali Khan.

Fee Summary

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

Initial Filing Fee	= \$ 100.00
<u>Adjournment Fee</u>	<u>= \$ 400.00</u>
Total Fees	= \$ 500.00
<u>Less payments</u>	<u>= \$ 900.00</u>
Refund Due Claimant	= \$ 400.00

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

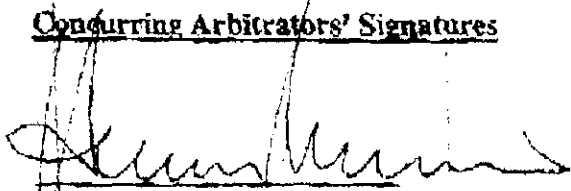
Adjournment Fee	= \$ 400.00
<u>Forum Fees</u>	<u>= \$ 800.00</u>
Total Fees	= \$ 1,200.00
<u>Less payments</u>	<u>= \$ 400.00</u>
Balance Due NASD Regulation, Inc.	= \$ 800.00

All balances are payable to NASD Regulation, Inc. and are due within 30 days of the award's date of service.

NASD Regulation, Inc. Office of Dispute Resolution
Arbitration No. 95-03901

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Concurring Arbitrators' Signatures



Herbert Murez, Esq.
Chair, Public Arbitrator

10/18/99
Signature Date

Alfred I. Rothman
Public Arbitrator

Signature Date

Robert P. Clifford
Industry Arbitrator

Signature Date

10/26/99
Date of Service

NASD Regulation, Inc. Office of Dispute Resolution
Arbitration No. 95-03901
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Concurring Arbitrators' Signatures

Herbert Murez, Esq.
Chair, Public Arbitrator

Signature Date

Alfred I. Rothman
Alfred I. Rothman
Public Arbitrator

10-21-99
Signature Date

Robert P. Clifford
Industry Arbitrator

Signature Date

10/26/99
Date of Service

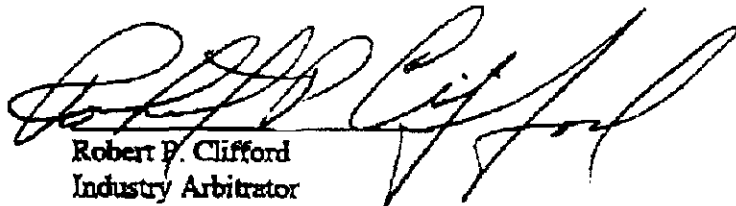
Concurring Arbitrators' Signatures

Herbert Murez, Esq.
Chair, Public Arbitrator

Signature Date

Alfred I. Rothman
Public Arbitrator

Signature Date


Robert P. Clifford
Industry Arbitrator

10-22-99

Signature Date

10/26/99

Date of Service