

**Award**  
**FINRA Dispute Resolution Services**

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In the Matter of the Arbitration Between:

Claimant  
Mohammed Sami

Case Number: 20-03033

vs.

Respondent  
TD Ameritrade, Inc.

Hearing Site: Los Angeles, California

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Awards are rendered by independent arbitrators who are chosen by the parties to issue final, binding decisions. FINRA makes available an arbitration forum—pursuant to rules approved by the SEC—but has no part in deciding the award.

Nature of the Dispute: Customer vs. Member

This case was administered under the Special Proceeding option for simplified cases.

**REPRESENTATION OF PARTIES**

Claimant Mohammed Sami (“Claimant”) appeared pro se.

For Respondent TD Ameritrade, Inc. (“Respondent”): Stacey M. Garrett, Esq., Keesal, Young & Logan, Long Beach, California.

**CASE INFORMATION**

Statement of Claim filed on or about: September 14, 2020.

Claimant signed the Submission Agreement: September 5, 2020.

Statement of Answer filed on or about: November 4, 2020.

Respondent signed the Submission Agreement: November 4, 2020.

**CASE SUMMARY**

In the Statement of Claim, Claimant asserted the following causes of action: breach of fiduciary duty; fraud; manipulation; misrepresentation/non-disclosures; unauthorized trading; errors/charges; failure to supervise; negligence; clearing disputes; and execution errors. The causes of action relate to Claimant’s purchase of gift cards that Claimant alleges did not work and the trade executions in Claimant’s account on Respondent’s platform.

Unless specifically admitted in the Statement of Answer, Respondent denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

### **RELIEF REQUESTED**

In the Statement of Claim, Claimant requested compensatory damages in the amount of \$23,535.70.

In the Statement of Answer, Respondent requested:

1. The claims asserted in the Statement of Claim be denied;
2. All costs be assessed to Claimant; and
3. Any further relief as determined by the Arbitrator.

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

The Arbitrator acknowledges having read the pleadings and other materials filed by the parties.

### **AWARD**

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

1. Claimant's claims are denied in their entirety.
2. Any and all claims for relief not specifically addressed herein are denied.

### **FEES**

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

#### **Filing Fees**

FINRA Dispute Resolution Services assessed a filing fee\* for each claim:

Initial Claim Filing Fee	= \$ 425.00
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*\*The filing fee is made up of a non-refundable and a refundable portion.*

#### **Member Fees**

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the events giving rise to the dispute. Accordingly, as a party, Respondent is assessed the following:

Member Surcharge	= \$ 450.00
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#### **Postponement Fees**

Postponements granted during these proceedings for which fees were assessed or waived:

May 25, 2021, postponement requested by Respondent	= \$ 450.00
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Total Postponement Fees	= \$ 450.00
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The Arbitrator has assessed the total postponement fees to Respondent.

**Hearing Session Fees and Assessments**

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

One (1) pre-hearing session with a single Arbitrator @ \$450.00/session	= \$ 450.00
Pre-Hearing Conference: January 5, 2021	1 session

One (1) hearing session @ \$450.00/session	= \$ 450.00
Hearing: May 17, 2021	1 session

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Total Hearing Session Fees	= \$ 900.00
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The Arbitrator has assessed the total hearing session fees to Claimant.

All balances are payable to FINRA Dispute Resolution Services and are due upon receipt.

**ARBITRATOR**

Mary M. O'Neil

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Sole Public Arbitrator

I, the undersigned Arbitrator, do hereby affirm that I am the individual described herein and who executed this instrument, which is my award.

**Arbitrator's Signature**

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***Mary M. O'Neil***

Mary M. O'Neil  
Sole Public Arbitrator

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**05/21/2021**

Signature Date

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May 21, 2021

Date of Service (For FINRA Dispute Resolution Services use only)