

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant
Gitee Jabarkhail

Case Number: 21-00007

vs.

Respondent
TD Ameritrade, Inc.

Hearing Site: Washington, D.C.

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

The evidentiary hearing was conducted partially by videoconference.

REPRESENTATION OF PARTIES

Claimant Gitee Jabarkhail appeared pro se.

For Respondent TD Ameritrade, Inc.: Anthony L. Valenzuela, Esq., Charles Schwab & Co., Inc., San Francisco, California.

CASE INFORMATION

Statement of Claim filed on or about: January 1, 2021.

Gitee Jabarkhail signed the Submission Agreement: December 9, 2020.

Statement of Answer filed by Respondent on or about: February 24, 2021.

TD Ameritrade, Inc. signed the Submission Agreement: February 24, 2021.

CASE SUMMARY

In the Statement of Claim, Claimant asserted the causes of action of manipulation and fraud. The causes of action relate to the buying, selling, and holding of Valaris, Inc. stock.

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 damages in the amount of \$48,442.14.

In the Statement of Answer, Respondent requested: that Claimant's Statement of Claim be dismissed, and she be awarded nothing; all FINRA forum and hearing session fees be assessed solely to Claimant; and that the Panel grants such further relief as it deems appropriate.

At the hearing, Claimant requested total damages in the amount of \$20,000.00.

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, including any requests for punitive damages, treble damages, and attorneys' fees, 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	= \$	600.00
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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 event giving rise to the dispute. Accordingly, as a party, Respondent is assessed the following:

Member Surcharge	= \$	750.00
Member Process Fee	= \$	1,750.00

Postponement Fees

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

August 31, 2021, postponement requested by Claimant	= \$	450.00
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Total Postponement Fees	= \$	450.00
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The Arbitrator has assessed the total postponement fees to Claimant.

Last-Minute Cancellation Fees

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

August 31, 2021, cancellation requested by Claimant	= \$	600.00
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Total Last-Minute Cancellation Fees	= \$	600.00
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The Arbitrator has assessed the total last-minute cancellation fees to Claimant.

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	= \$	WAIVED
Pre-Hearing Conference: April 19, 2021	1 session	

Two (2) pre-hearing sessions with a single Arbitrator @ \$450.00/session	= \$	900.00
Pre-Hearing Conferences: April 26, 2021	1 session	
August 31, 2021	1 session	

One (1) hearing session with a single Arbitrator @ \$450.00/session	= \$	450.00
Hearing: November 16, 2021	1 session	

Total Hearing Session Fees	= \$	1,350.00
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The Arbitrator has assessed \$900.00 of the hearing session fees to Claimant.

The Arbitrator has assessed \$450.00 of the hearing session fees to Respondent.

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

ARBITRATOR

Mary E. Woytek

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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

Mary E. Woytek

Mary E. Woytek
Sole Public Arbitrator

11/24/2021

Signature Date

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.

November 29, 2021

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