

**Stipulated Award
FINRA Dispute Resolution Services**

In the Matter of the Arbitration Between:

Claimant
Charles Schwab & Co., Inc.

Case Number: 21-00124

vs.

Respondent
Thanh Nguyen
a/k/a Thanh Van Nguyen
a/k/a Thanh V. Nguyen

Hearing Site: Houston, Texas

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: Member vs. Customer

REPRESENTATION OF PARTIES

For Claimant Charles Schwab & Co., Inc. (“Claimant”): B. Bruce Johnson, Esq., Jaffe & Asher LLP, New York, New York.

Respondent Thanh Nguyen a/k/a Thanh Van Nguyen a/k/a Thanh V. Nguyen (“Respondent”) appeared pro se.

CASE INFORMATION

Statement of Claim filed on or about: January 19, 2021.
Claimant signed the Submission Agreement: January 19, 2021.

Respondent did not file a Statement of Answer.
Respondent signed the Submission Agreement: March 10, 2021.

CASE SUMMARY

In the Statement of Claim, Claimant asserted the following causes of action: breach of contract. The cause of action related to Claimant’s allegation that Respondent failed to repay an unsecured debit balance.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested the sum of \$112,957.07 for the unsecured debit balance in Respondent's account; interest calculated at the California statutory prescribed interest rate of 10% per annum (Cal. Civ. Code § 3289(b)) from June 30, 2020, until the date of the Award; post-award interest at the legal rate; all fees, costs and expenses, including the FINRA filing fee of \$2,125.00 and all FINRA forum and hearing session fees; attorneys' fees, if Respondent contests the arbitration; and such other and further relief as the Arbitrator deems appropriate.

OTHER ISSUES CONSIDERED AND DECIDED

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

On March 11, 2021, the parties submitted a joint request that this case be decided by a single arbitrator. Accordingly, pursuant to Rule 12401(c) of the Code of Arbitration Procedure ("Code"), a single arbitrator was appointed to decide this matter.

Also on March 11, 2021, the parties filed a Joint Motion for a Stipulated Award ("Motion"), pursuant to their confidential settlement agreement.

AWARD

The parties entered into an agreement to present to the Arbitrator a Stipulated Award. Now, in lieu of a hearing and upon motion of both parties for entry of a Stipulated Award, and the written stipulation thereto, the Arbitrator grants the motion and enters this Stipulated Award granting the following relief:

1. Respondent is liable for and shall pay to Claimant the sum of \$112,957.07 in compensatory damages.
2. Respondent is liable for and shall pay to Claimant interest on the above-stated sum at the rate of 10% per annum from June 30, 2020 through the date of payment in full.
3. Respondent is liable for and shall pay to Claimant the sum of \$1,000.00 to reimburse Claimant for the non-refundable filing fee previously paid to FINRA Dispute Resolution Services.
4. Any and all claims for relief not specifically addressed herein, including any requests for attorneys' fees, are denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

FINRA Dispute Resolution Services will retain or collect the non-refundable filing fees* for each claim:

Initial Claim Filing Fee	=\$ 2,125.00
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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(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. Accordingly, as a party, Claimant is assessed the following:

Member Surcharge	=\$ 1,700.00
Member Process Fee	=\$ 3,250.00

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(s), including a pre-hearing conference with the Arbitrator(s), which lasts four (4) hours or less. Fees associated with these proceedings are:

Decision on the papers:	=\$ 300.00
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Total Hearing Session Fees	=\$ 300.00
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The Arbitrator has assessed the total hearing session fees to Respondent.

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

ARBITRATOR

Thomas A. Martin

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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

Thomas A. Martin

Thomas A. Martin
Sole Public Arbitrator

07/14/2021

Signature Date

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July 14, 2021

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