

**Stipulated Award
FINRA Dispute Resolution Services**

In the Matter of the Arbitration Between:

Claimant
Charles Schwab & Co., Inc.

Case Number: 21-00337

vs.

Respondent
Mohammad Ghelich Khan

Hearing Site: Manchester, New
Hampshire

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.: Jonathan D. Berg, Esq., Jaffe & Asher LLP, New York, New York.

Respondent Mohammad Ghelich Khan appeared pro se.

CASE INFORMATION

Statement of Claim filed on or about: February 8, 2021.

Charles Schwab & Co., Inc. signed the Submission Agreement: February 8, 2021.

Mohammad Ghelich Khan did not file a Statement of Answer or sign the Submission Agreement.

CASE SUMMARY

In the Statement of Claim, Claimant asserted the following cause of action: breach of contract. The cause of action relates to short sale of Biomerica, Inc. stock.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested:

1. Compensatory damages for unsecured debit balance in the amount of \$61,181.80;
2. Interest at the State of New Hampshire rate of 2.09% per annum from May 1, 2020 until the date of the Award, as well as post-award interest at the legal rate;
3. All fees, costs and expenses, including FINRA filing fee of \$1,750.00 and all forum and hearing session fees;
4. Reasonable attorneys' fees if Respondent contest this arbitration; and
5. 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.

Respondent did not file a properly executed Submission Agreement but is required to submit to arbitration pursuant to the Code of Arbitration Procedure ("Code") and is bound by the determination of the Arbitrator on all issues submitted.

On March 31, 2021, the parties filed a Joint Motion for Entry of a Stipulated Award. On May 6, 2021, the Arbitrator granted the motion.

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 \$61,181.80 in compensatory damages.
2. Respondent is liable for and shall pay to Claimant interest on the above-stated sum at the rate of 2.09% per annum from March 19, 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, are denied.

FEES

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

Filing Fees

Initial Claim Filing Fee = \$ 1,750.00

**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, Claimant Charles Schwab & Co., Inc. is assessed the following:

Member Surcharge = \$ 1,100.00
Member Process Fee = \$ 2,250.00

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

Decision on the papers: = \$ 300.00

Total Hearing Session Fees = \$ 300.00

The Arbitrator has assessed \$150.00 of the hearing session fees to Claimant.

The Arbitrator has assessed \$150.00 of the hearing session fees to Respondent.

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

ARBITRATOR

Linda J. Baer

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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

Linda J. Baer

Linda J. Baer
Sole Public Arbitrator

05/10/2021

Signature Date

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May 12, 2021

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