

**Award
FINRA Dispute Resolution**

In the Matter of the Arbitration Between:

Claimant
Dr. Karabi Sinha

Case Number: 10-02584

vs.

Respondent
UBS Financial Services Inc.

Hearing Site: Newark, New Jersey

Nature of the Dispute: Customer vs. Member

REPRESENTATION OF PARTIES

Claimant Dr. Karabi Sinha, hereinafter referred to as "Claimant": Brian J. Neville, Esq., Lax & Neville, LLP, New York, New York and Seth Lipner, Esq., Deutsch & Lipner, Garden City, New York.

Respondent UBS Financial Services Inc., hereinafter referred to as "Respondent": Brian Amery, Esq., Bressler, Amery & Ross, P.C., Florham Park, New Jersey.

CASE INFORMATION

Statement of Claim filed on or about: May 28, 2010.
Dr. Karabi Sinha signed the Submission Agreement: April 21, 2010.

Statement of Answer filed by Respondent on or about: August 20, 2010.
UBS Financial Services Inc. signed the Submission Agreement: August 9, 2010.

CASE SUMMARY

Claimant asserted the following causes of action: violations of the Securities Act, unsuitability, violations of section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 under the Exchange Act, common law fraud, breach of contractual and legal duties, negligence, gross negligence, and negligent supervision. The causes of action relate to a Return Optimization Securities with partial protection linked to the S&P 500 maturing 6/30/2009.

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

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$300,000.00, interest, fees, commissions and compensation earned from the Claimant's investments, punitive damages, reasonable attorneys' fees, expenses and costs, including expert's fees, rescission or a recessionary measure of damages, and such additional equitable/injunctive or other relief as deemed appropriate by the Panel.

Respondent requested dismissal of the Statement of Claim with prejudice in its entirety, costs, and such other and further relief as may be just and proper.

OTHER ISSUES CONSIDERED AND DECIDED

The Arbitrators acknowledge that they have each read the pleadings and other materials filed by the parties.

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 testimony and evidence presented at the hearing, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Respondent is liable for and shall pay to Claimant compensatory damages in the amount of \$154,479.00 plus interest at the New Jersey statutory rate from October 1, 2008 until the Award is paid in full.
2. Any and all relief not specifically addressed herein, including punitive damages, is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

FINRA Dispute Resolution assessed a filing fee* for each claim:
Initial Claim Filing fee

= \$ 1,425.00

**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(s) at the time of the events giving rise to the dispute. Accordingly, as a party, UBS Financial Services Inc., is assessed the following:

Member Surcharge	= \$ 1,700.00
Pre-Hearing Processing Fee	= \$ 750.00
Hearing Processing Fee	= \$ 2,750.00

Contested Motion for Issuance of a Subpoena Fees

Fees apply for each decision on a contested motion for the issuance of a subpoena.

One (1) Decision on a contested motion for issuance of a subpoena.

with (1) one arbitrator @ \$200.00	= \$ 200.00
Total Contested Motion for Issuance of Subpoenas Fees	= \$ 200.00

The Panel has assessed \$200.00 of the contested motion for issuance of subpoena fees to Claimant.

Hearing Session Fees and Assessments

The Panel 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), that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with Arbitrator @ \$450.00	= \$ 450.00
Pre-hearing Conference: July 25, 2011	1 session

One (1) Pre-hearing session with Panel @ \$1,125.00	= \$ 1,125.00
Pre-hearing conference: November 15, 2010	1 session

Eighteen (18) Hearing sessions @ \$1,125.00	= \$20,250.00
Hearing Dates:	

October 4, 2011	2 sessions
October 5, 2011	2 sessions
October 6, 2011	2 sessions
October 7, 2011	2 sessions
November 9, 2011	2 sessions
November 10, 2011	2 sessions
November 11, 2011	2 sessions
March 14, 2012	2 sessions
March 15, 2012	2 sessions

Total Hearing Session Fees	= \$21,825.00
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1. The Panel has assessed \$10,912.50 of the hearing session fees to Claimant.
2. The Panel has assessed \$10,912.50 of the hearing session fees to Respondent.

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

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ARBITRATION PANEL

Robert E. Anderson
Cynthia H. Plishtin
Joan Marie Chiusano

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Public Arbitrator, Presiding Chairperson
Public Arbitrator
Non-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.

Concurring Arbitrators' Signatures



Robert E. Anderson
Public Arbitrator, Presiding Chairperson

4/23/12

Signature Date

Cynthia H. Plishtin
Public Arbitrator

Signature Date

Joan Marie Chiusano
Non-Public Arbitrator

Signature Date

April 25, 2012

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

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ARBITRATION PANEL

Robert E. Anderson	-	Public Arbitrator, Presiding Chairperson
Cynthia H. Plishtin	-	Public Arbitrator
Joan Marie Chiusano	-	Non-Public Arbitrator

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Concurring Arbitrators' Signatures

Robert E. Anderson
Public Arbitrator, Presiding Chairperson

Signature Date

Cynthia H. Plishtin

Cynthia H. Plishtin
Public Arbitrator

4/20/12

Signature Date

Joan Marie Chiusano
Non-Public Arbitrator

Signature Date

April 25, 2012

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

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ARBITRATION PANEL

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Cynthia H. Pflahtin	-	Public Arbitrator
Joan Marie Chiusano	-	Non-Public Arbitrator

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Robert E. Anderson
Public Arbitrator, Presiding Chairperson

Signature Date

Cynthia H. Pflahtin
Public Arbitrator

Signature Date

Joan M Chiusano

Joan Marie Chiusano
Non-Public Arbitrator

4/25/12

Signature Date

April 25, 2012

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