

CASE NO: 17-17260

IN THE SUPREME COURT OF THE UNITED STATE

SYED NAZIM ALI,

PETITIONER,

v.

**INTERACTIVE BROKER, LLC
RESPONDENT.**

ON WRIT OF CERTINRARI

TO THE UNITED STATE COURT OF APPEALS

FOR NINE CIRCUIT

BRIEF FOR THE PETITIONER

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Questions Presented

1. Whether the district court erred by dismissing the case on the grounds that the Petitioner who is the sole owner and shareholder of the corporation did not have a right to represent the corporation or to sue but needed an attorney.
2. Whether the sole owner of corporation requires to have an attorney in litigation under corporate laws, but same corporate laws permit an individual to form a corporation without a need of an attorney.
3. Whether the corporate laws written over 200 years ago need to update to facilitate new era of single entity owner who faces the high cost challenge to retain an attorney and/or unable to retain an attorney or attorney unable take their case by their choice leave them fail to obtain fair-justice from the world finest American Justice System.
4. Whether the requirement of the business entity to have a legal counsel be revised and treated differently when there are single shareholder verses multiple shareholders and/or a public traded corporation to facilitate today's age legal challenges for a single shareholder owner of entity.
5. Whether the Ninth Circuit made a fundamental error by dismissing the case because they failed to apply the shareholder's exception as required by law despite the three Hon. Justice has permitted Mr. Ali to file open and reply brief as an individual capacity on March 29, 2018.

PARTIES TO THE PROCEEDINGS

The Petitioner Syed Nazim Ali.

The Defendants are Interactive Broker Services.

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INTRODUCTION

Syed Nazim Ali, Individual, respectfully petition for a writ of certiorari to review the judgment of the United States Court of Appeal for the Ninth Circuit Supported by Appendix A, B and C.

JURISDICTION

The judgment of the district court was entered on October 29, 2018 (See Appendix A). A notice of appeal was filed on November 2, 2017, and the case was docketed in the 9th Cir Court of appeals on that date November 3, 2017.

STATUTORY PROVISION INVOLVED

28 U.S.C. § 1291 provides in relevant part: “The courts of appeals (other than the United States Court of Appeals for the Federal Circuit) shall have jurisdiction of appeals from all final decisions of the district courts of the United States .

STATEMENT

Global Ebusiness Services Inc., (hereinafter “Petitioner” or “Global”) is a Nevada-based securities and assets holding company corporation in which the sole shareholder and director is Syed Nazim Ali (hereinafter “Petitioner” or “Ali”). Global had a security investment account with Ameritrade. Ali as the Director of Global decided to transfer their investment account to Interactive Broker hereinafter (“Respondent” or IB”). Global made the transfer based on the assurance that it was a sound investment. The

Petitioner loss over three million dollars based on the Respondent's actions. The Petitioner was attempting to try and recover the three million dollars that had been loss because of the actions of the Respondent.

The Petitioner filed an arbitration claim with FINRA against Interactive Brokers LLC in July 2014 as an effort to reach a nonjudicial settlement. (Dist. Ct. Dkt. No. 36 at 3). In this dispute between broker and customer, FINRA issued an award on November 13, 2015, denying all of Global eBusiness's claims against Interactive Brokers in their entirety. Dkt. No. 1 at ECF pp. 8-17. Global eBusiness had asserted claims for breach of fiduciary duty, churning, misrepresentation/non-disclosures, omission of facts and "bait and switch strategy," all in relation to Interactive Brokers' "handling of [Global eBusiness's] margin account." Id. at ECF p. 11. The award was issued by a panel of three public arbitrators. Id. at ECF pp. 15-17. The Petitioner filed a complaint against the Respondent. The court ruled in favor of the Respondent. The Petitioner file an appeal. The Appeal Court held that the case was dismiss because the Petitioner could not represent the corporation but needed an attorney. This Petition for Writ of Certiorari is made in order to reverse the decision of the Ninth Circuit Court.

REASONS FOR GRANTING WRIT

I. THE TRIAL COURT ERRED IN FAILING TO ALLOW THE PETITIONER TO GO FORTH IN THE REPRESENTATION OF THE SOLE OWNER FOR THE CORPORATION

The trial court erred in failing to allow the Petitioner to go forth in the representation of the corporation since he was the sole owner and sole shareholder of the corporation. Global is a corporation that incorporate under the laws for the State of Nevada. There are no other officers or

directors other than the Ali. Ali is the owner and director of the corporation in which the primary business was in relations to investment. As *Co-Efficient Energy* is similar to the case at bar. *CoEfficient Energy Systems v. CSL Industries*, 812 F.2d 556, 558 (9th Cir. 1987). The Plaintiff was the corporation director and sole shareholder. The court in Co-Efficient acknowledge that the director was the sole shareholder and made business decision including the decision to contract with the Defendant and filed this action. *Id.* The location where these decisions were made was deemed to be the corporation's principal place of business. *Id.* Ali was the only shareholder of Global who transacted all of the business on the corporation behalf. This includes entering into a contract relationship with the Defendant regarding a business investment. The trial court erred in not allowing the Plaintiff to go forth with his case.

In an attempt to resolve this confusion, and to promote a uniform interpretation of federal law, the Supreme Court held in *Hertz* that the phrase "principal place of business" means the corporation's "nerve center," or "the place where the corporation's high level officers direct, control, and coordinate the corporation's activities," thereby taking the state-by-state analysis of a corporation's business activities out of the equation. *Hertz Corporation v. Friend*, 130 S. Ct. 1181 (2010). The Court added that a corporation's "nerve center" typically will be the corporation's headquarters. The court should have considered the never center of Global and the activities that occurred. If the court would have inquired of Global's activities, it would have found out that their activities were limited. Once their money had been taken by the Defendant, there was basically no activity because they no longer had the resources. Prior to the money being taken, Global has limited activities. The activities were limited because Global had one owner who was

also the shareholder. Ali was responsible for the day to day operation of Global. The Ninth Circuit should have considered this fact, but they did not.

Federal courts generally use one of two tests for locating a corporation's principal place of business. See 1 J. Moore, *Moore's Federal Practice* p 0.77 (2d ed. 1989). Under the "nerve center test," developed in *Scot Typewriter Co. v. Underwood Corp.*, 179 F. Supp. 862, 865 (S.D.N.Y. 1959), a corporation's principal place of business is where its executive and administrative functions are performed. Under the "place of operations test," developed in *Inland Rubber Corp. v. Triple A Tire Service, Inc.*, 220 F. Supp. 490, 496 (S.D.N.Y. 1963), the principal place of business is the state which "contains a substantial predominance of corporate operations."

The Ninth Circuit requires the court first to identify the amount of a corporation's business activities on a state-by-state basis. If activity is "significantly larger" or "significantly predominates" in one state, then that state is to be considered the principal place of business. However, if there is no such dominant state, the corporation is a citizen of the state where its "nerve center" is located—i.e., the place where "the majority of its executive and administrative functions are performed." *Id* This is a Ninth Circuit case. The court failed to even consider Global's business activities. If the court would have considered that this was a very small corporation which only does small activities such as investments but these investments have an astronomical impact on the corporation and Ali as well. In a unanimous decision, the U.S. Supreme Court's opinion in *Hertz* clarified the test for corporate citizenship to be applied when determining federal courts' diversity jurisdiction—a corporation is a citizen of the state where its "nerve center" is located. *Hertz*, 130 S. Ct. 1181 (2010).

The Supreme Court held in *Hertz* determined that the phrase “principal place of business” means the corporation’s “nerve center,” or “the place where the corporation’s high-level officers direct, control, and coordinate the corporation’s activities,” thereby taking the state-by-state analysis of a corporation’s business activities out of the equation. *Id.* The Court added that a corporation’s “nerve center” typically will be the corporation’s headquarters. *Id.*

The Supreme Court decided to address the arguments by three points regarding its decision to adopt the nerve center test. First, the Court used the plain language of the statute—“principal place of business”—supports the conclusion that courts are to identify a single place within a state. Second, the Court noted that predictability and ease of administration supported the standardization of courts’ application of the diversity statute. Finally, the Court stated that the history of the diversity jurisdiction statute demonstrated that Congress intended to create a test that was easy to apply.

Prior to *Hertz*, when determining a corporation’s principal place of business, the circuits applied multiple overlapping tests that often lacked precision. See *id.* at 91– 92 (describing the “growing complexity” in this area of the law). *Hertz*, 559 U.S. at 94. The Supreme Court chose the nerve center test over the various competing tests in large part due to its “administrative simplicity.” *Id.* at 94. Complex jurisdictional tests waste resources by encouraging gamesmanship and costly appeals while discouraging litigation of a dispute’s merits. *Id.* Simple jurisdictional rules, in contrast, benefit both courts and litigants. Courts, which have an independent obligation to ensure that subject matter jurisdiction exists, “can readily assure themselves of their power to hear a case.” *Id.* (citing *Arbaugh v. Y&H Corp.*, 546 U.S. 500, 514 (2006)). Straightforward jurisdictional rules also offer greater predictability

for corporations making business and investment decisions and for plaintiffs deciding whether to sue in state or federal court. *Id.* at 94–95. shareholders. *People v. Wolfson*, 97 A.D.2d at 504, 468 N.Y.S. at 21.

Generally, a shareholder cannot personally recover for an alleged wrong done to the corporation." However, there is a well-recognized exception to this rule: a shareholder does have a cause of action if "the harm to the corporation also damaged the shareholder in his capacity as an individual rather than as a shareholder." *Id.* In the present case, Ali has been hard as an individual. The resources that was put into Global was from the hard work and savings of Ali. When the Respondent took all of the money of the corporation, this had a direct impact on Ali's finances. This now meant that Ali and Global were both financially ruined. The loss of four million dollars due to the greed, corruption, negligence and misrepresentation all impacted the Plaintiff directly. Therefore, the Ninth Circuit made an error because they did not allow the exception to apply to Ali. Instead, they dismiss the case based on the fact that he did not have an Attorney to represent the corporation. The Ninth Circuit should have applied the exception to Ali because he is a shareholder of Global. This error by the Ninth Circuit was fundamental in the fact that it has a devastating impact upon Global and Ali.

Courts have basically interpreted this exception to mean either that the injury arose out of a special duty owed the shareholder, *Cunningham v. Kartridg Pak Co.*, 332 N.W.2d at 883 (1983) Some cases which have interpreted the exception as arising out of a special duty include *Sherman v. British Leyland Motors, Ltd.*, 601 F.2d 429, 440 n. 13 (9th Cir. 1979); *Empire Life Insurance Co. v. Valdak Corp.*, 468 F.2d 330, 335 (5th Cir. 1972); *Chicago v. Stanley*, 585 F. Supp. 1385, 1388 (N.D. Ill. 1984); *Cunningham*,

332 N.W.2d at 883; *Weiss v. Northwest Acceptance Corp.*, 274 Or. 343, 348, 546 P.2d 1065, 1069 (1976) . Other consideration is the injury was separate and distinct from that suffered by the other shareholders. *Buschmann v. Professional Men's Ass'n*, 405 F.2d 659, 662-63 (7th Cir. 1969); *ITT Diversified Credit Corp. v. Kimmel*, 508 F. Supp. 140, 144 (N.D. Ill. 1981); *Alario v. Miller*, 354 So.2d 925, 926 (Fla. App. 1978) Ali was the only shareholder of Global company. Global was a new and upcoming corporation that was stopped in its track due to the fraudulently and deceitful acts of the Respondent. The lower court was aware of the challenges of Global and Ali. Ali had tried on two occasion to secure an Attorney, one occasion, the attorney James Patrick took Mr. Ali money and unable to file the open brief, and time was running out due to his lack of legal experience, lack of technology experience, and lack of enrolling with 9th Cir Ct. And second occasion, the attorney Brian Beckwith, took the case on limited service to prepare and file Motion to Supplement the Record . Each time there was something that would prevent them from the representation that he so desperately needed. Ali filed the complaint Pro Se as a way of trying to get some recover for the corporation and himself. Therefore, Ali falls within the exception to bring a claim as a shareholder because he has an individual interest that has been harmed. These two concepts often overlap, but the existence of either one will allow for an individual action. A "special duty" exception could be a contractual obligation between the shareholder and a third party. *Buschmann*, 405 F.2d at 662. The rationale for allowing the shareholder standing when such a duty exists is that the shareholder has rights which extend beyond ownership in the corporation, and it would be inequitable to ignore the rights of the individual. *Cunningham*, 332 N.W.2d at 883. In order for justice to be served, the Ninth Circuit judgment must be reversed in order to make sure

that Ali's and Global's rights have not been ignored.

II. THE DECISION OF THE NINTH CIRCUIT SHOULD BE REVERSED

While the Ninth Circuit is one of the premier courts in which America looks to in terms of the trends for the law. On this occasion, the Ninth Circuit committed a grievous error and the Plaintiff's case should be reversed. The first reason is that the Plaintiff has standing as a shareholder and individual in reference to the Global the corporation where he is the director and sole owner. The Ninth Circuit dismiss the Petitioner's case because they stated he was not an Attorney and could not represent the corporation. Who better than the Petitioner knows about the case? This was the reason why the Petitioner was proceeding with the case Pro Se. The Ninth Circuit Court erred in that the Plaintiff has a right to bring a claim on behalf of himself and the corporation.

In *Pearce*, this case has been referred to as a corporate soap opera. *Pearce vs. Superior Court (Berry Holding Company)*, 149 Cal. App. 3d (1983) The court in *Pearce* held that the Plaintiff has standing under Corporation Code Section 800. *Id* Further the *Pearce* court went on to state the law merely requires that plaintiff was the owner of a shareholder's beneficial interest in the corporation when the alleged transactions took place. Having standing as a nominal plaintiff, the orders sustaining the demurrers below which denied her such standing must be vacated. *Id*. This is true in the case at bar. Ali as a shareholder and owner has a beneficial interest in the corporation when the alleged transaction took place. Ali was the one that directed the transaction with Interactive Broker. Thus, he as a direct interest in the transaction. The

order of the Ninth Circuit should be vacated because the Plaintiff had standing and should have been allowed to go the full circle to an actual trial.

The Plaintiff has standing under Corporate Code Section 800. The Corporations Code section 800, subdivision (b), and the pertinent part of subdivision (b)(1) are set out as follows: "(b) No action may be instituted or maintained in right of any domestic or foreign corporation by any holder of shares or of voting trust certificates of the corporation unless both of the following conditions exist:

"(1) The plaintiff alleges in the complaint that plaintiff was a shareholder, of record or beneficially, or the holder of voting trust certificates at the time of the transaction" (*Italics added.*)

The controversy in this issue revolves around the statutory language "plaintiff was a shareholder, of record or beneficially." *Id.* The Plaintiff in Pearce further urges a liberal and expansive reading of section 800 and the phrase "shareholder ... beneficially" would be consistent with the modern judicial and legislative trend in this state and nationwide. The Supreme Court Agreed with the Plaintiff. *Id.* In 1949 the predecessor to section 800, section 834, was made extremely restrictive in its grant of standing. Section 834, subdivision (a)(1), expressly required that the party bringing suit be a shareholder at the time of the alleged wrong. This is known as the contemporaneous ownership rule. *Id.*

It is a serious miscarriage of justice for the Plaintiff in that he is not able to go forth with suit against the Respondent who has basically stolen over four million dollars not only from the Global but from the Ali as well who is an owner and shareholder of Global. Great evils, however, will result if undue

obstacles are placed in the path of a shareholder who has legitimate grounds for suing. But it is a fundamental policy of the law and duty of government that some remedy must be provided for every recognized wrong." (Ballantine, Abuses of Shareholders Derivative Suits: How Far is California's New "Security For Expenses" Act Sound Regulation? (1949) 37 Cal.L.Rev. 39)

This is a recognized wrong of the Respondent and the court has a duty to provide a justifiable remedy in order to correct the wrong. If not the Respondents of this same nature will continue to take advantage of other parties similarly situated like the Petitioner. This sends the wrong message to owner and shareholders of small corporation. Many times, small corporation do not have the financial means to secure a corporate attorney for representation. This is true in the case at bar. Ali had his money taken by the Defendant. Although he tried to obtain legal counsel. Each time there was a problem. The first problem with the first Attorney was that he signed on but he was not qualified to do Federal Cases. This was money that Ali did not have but was wasted. Ali in good faith attempted to secure an appropriate counsel but was unable to (Appendix B ,See Docket # 5, and 6, 9, 12, 27, 30, 32). Global nor Ali should be punished because they did not have a legal counsel. Ali should have been allowed to go on with his case Pro Se because he as standing and a personal interest in the outcome of the case. Therefore, the decision of the Ninth Circuit should be reversed.

The Supreme Court to take a note that On March 29, 2018, the Hon. Justices MORGAN B. CHRISTEN and MICHELLE T. FRIEDLAND, upon Mr. Ali motion to file open brief and reply as an individual capacity given challenges to secure a legal counsel, the three Hon. Justices agreed and have permitted Mr. Ali to file open and reply brief as an individual capacity or person, but that has not been taken any consideration by Hon. Justices SILVERMAN,

GRABER, and GOULD by dismissing the case with affirming the arbitration award without looking any material facts on the appeal submitted by Mr. Ali upon an approval of Hon. Justices MORGAN B. CHRISTEN and MICHELLE T, that cost Mr. Ali unable to seek fair-justice and unable to recover over \$3.5 million.

Mr. Ali brought this matter before Supreme Court to have a mercy on the single entity owners exempting from the Corporation laws, which was written 200 years ago, with concept of corporation have many numbers of private shareholders or going into Public traded company, lack the today age corporate entity legal challenges which a single shareholder faces as Mr. Ali:

There are millions of single owners who own the corporation or LLC entity as small business owner, and they all do come across the same legal challenges which Mr. Ali has faced in three legal actions which were Corporation entity solely owned by Mr. Ali, but unable to seek fair-justice due to corporation to have an attorney.

As with the time passed on we must update the corporate laws, regulations, and adopt new practices that align with the current corporate entity business legal challenges that face by a single shareholder that helps single shareholder to seek and secure legal right rather be punished because the owner can not afford an attorney or attorney unable to take the case given their own choice leave the entity owner no choice to give-up legal rights for seeking a fair-justice from judicial system.

Mr. Ali as sole owner of other business entities has faced the same obstacle or roadblock by Trial Court (in matter Cybersecurity Associate, Inc v. Softsol Technologies, Inc, Case # HG17885923, filed in Superior Court, Alameda County, California), where the Court has dismissed the case due to lack of

corporation entity unable to be represented by an attorney on petition to compel Arbitration clause by Defendant Softsol Technologies, Inc.

This is the very common problem of today age, which the Mr. Ali requests this highest Power of the Country Highest Supreme Court to reevaluate current corporate laws, facilitate and amend new laws that permit the single shareholder to obtain justice from legal system without extra ordinary local rule compliance to have an entity be represented by an attorney for a single shareholder so they can seek fair justice.

As current corporate laws permit any single individual person to prepare and file a article of incorporation with secretary of state to form an entity, the same individual being a single owner of the entity, be permitted to represent and secure legal right of his or her interest of ownership when legal dispute or challenges arise.

In addition, we note that courts in California have historically given derivative suit standing requirements a liberal construction. The Petitioner will acknowledge that this is not a derivate suit. The facts are similar. While no such case exists yet for section 800, under the restrictive language of section 834 the California Supreme Court twice allowed derivative actions to proceed in which the plaintiffs did not meet the literal requirement that they be "either a member, registered shareholder or the holder of voting trust certificates." (*Reed v. Norman* , 48 Cal. 2d 338,, 342 [309 P.2d 809] (1957); *Weingand v. Atlantic Sav. & Loan Assn.* , 1 Cal. 3d 806, 818 , 83 Cal. Rptr. 650, 464 P.2d 106, (1970).) We assume that section 800's new contemporaneous ownership rule is a codification of these decisions and coincides with the Ballantine point of view mentioned above. (*Perry v. Jordan* , 34 Cal.2d 87, 93 [207 P.2d 47 (1949)

The second reason is that the Ninth Circuit erred in their ruling for the judgment. In Docket #26, dated March 29, 2018, the court allowed Ali to file an Open Brief on his own because of the extreme hardship of finding an Attorney to represent the corporation. The Docket entry # 16 which is dated for March 29, 2018 states the following:

“The issue is whether a corporation notice of appeal, signed and filed by a corporate officer is invalid because it was not signed and filed by counsel. We concluded that it is not invalid. The motion to supplement the record (Docket Entry No. 8) is denied without prejudice to renewal by counsel. On February 28, 2108, attorney James Joseph Patrick filed a notice of appearance on behalf of appellant Global Ebusiness, Inc. Accordingly, appellant Global Ebusiness Services, Inc.’s motion for permission to file a pro se opening brief (Docket Entry No. 9) and motion for an extension of time to secure counsel (Docket Entry No. 12) are denied as moot. The opening brief filed by appellant Ali at Docket Entry No. 10 and the request for review filed by appellant Ali at Docket Entry No. 15, appears to state argument only on behalf of appellant Global Ebusiness Services, Inc. Accordingly, the open brief (Docket Entry No. 10 and “request for review” filed by appellant Ali at Docket Entry No. 15 are stricken. To the extent appellant Ali intends to state argument on his own behalf, he may file a pro se opening brief on his own behalf.” So, in Docket No 35 on April 24, 2018, the Plaintiff filed an open brief as the court had ordered. However, the court ruling was inconsistent. The court should not have allowed Ali to file a brief when they were only going to strike and disregard it. The Court in their Memorandum dated October 29, 2018 stated “ We do not consider Ali’s contentions on behalf of Global eBusiness Services , Inc. because Ali, who is appearing pro se, may not represent a corporation. “ The lower court was sending an inconsistent message. This court knew of the problems that Ali had with trying to obtain an attorney to

represent the corporation. After all, Ali and Global had loss all of their money to the Defendant. The court knew that this was a one-person corporation with only one shareholder which was Ali. The court made an error in dismissing the case. Therefore, the writ of certiorari should be granted.

III. IF AN INDIVIDUAL PERSON UNDER CORPORATE LAW GIVEN AUTHORITY TO FORM AN ENTITY, THE SAME CORPORATE LAW MUST GIVE AN AUTHORITY TO SINGLE ENTITY OWNER TO ABLE TO REPRESENT IN COURT OF LAW FOR SEEKING FAIR-JUSTICE WITHOUT AN ATTORNEY

Mr. Ali requests before the highest Court that if the corporate law permits an individual person to prepare, and file article of incorporation to create an entity without an attorney, so does the same corporate laws permit the single entity owner to represent his or her entity in Court of law without an attorney for purpose of seeking a fair-justice.

As being a Cybersecurity Practitioner working 20 years in industry, and expert, I have seen how we evolve over years after years integrating new laws, and regulation or updating our laws in the area of Information Security, Cyber Security, Cyber Law, Data Privacy Regulation and Mandates, and Cyber Security Compliance Framework (PCI-DSS, HIPAA, SOX, GDPR, NIST-800 Series and many other regulation) do get revision, do get new enhancement and updates to meet the current and today age cyber security, and data security, and data privacy legal challenges, Therefore, the Supreme Court have an full-authority, and absolute control to revise, amend and modify to place an legal authority that permits a single owner of an entity to freely represent his or her entity if he or she is the sole owner of the entity to best interest of serving fair-justice and for the best interest of the single entity owner.

Due to this legal roadblock, and corporate laws, which was adopted 200 years ago, Mr. Ali has suffered a large sum of financial losses as investor and as a sole owner of the

corporation, impacting Mr. Ali and Global financially given the current Corporation law which caused Mr. Ali and Global 9th Cir Ct. appeal to be affirmed and dismissed regardless the countless efforts to finding an attorney, and attorney unable to take the case because their choice, was not the Mr. Ali choice or in control (Appendix B ,See Docket # 5, and 6, 9, 12, 27, 30, 32).

The impact of corporate law in legal judicial system was strict that would made Mr. Ali to go and attend law school and completed first year, for purpose of seeking fair-justice, despite produced all the material facts before Court unable to seek fair-justice because of local Court rule that requires an entity to be represented by a licensed attorney.


It is the time for highest court of the United State of America to help single entity owner, as there are millions of Just like Mr. Ali have been suffering the same legal issue, legal obstacle, and need help from the Supreme Court to revise and made special exception rule in Corporate laws that permits single owner to represent their sole owned entity and seek a fair-justice without a undue need for an attorney which sometime cannot financially afford by the owner, losing their legal rights, or something it is attorney choice that they do not take case by their choice, leaving the single entity owner helpless.

Today, Mr. Ali approaches and is seeking a request to evaluate and amend the Corporate laws as this Country general public needs who operate their business majority as single entity owner. Because Mr. Ali does not like to see any of other single entity owner suffered the painful losses which Mr. Ali has suffered and presented this appeal a voice of American business owners, who are the single member or single shareholders of their entity.

CONCLUSION

WHEREFORE, for the above and foregoing reasons, Petitioner respectfully requests that this Court grant this Petition and issue a writ of certiorari to review the decision of the Ninth Circuit Court of Appeals in this case. And Mr. Ali open brief and reply brief be seen by the Hon. Justices to deliver a fair-justice to single entity owner, to an investor, to a U.S Citizen, to an Individual, and to a member of this American Society who lost large sum of money (\$3.5M) due to broker misrepresentation and profession misconduct.

Respectfully submitted this December 26, 2018.



Syed Nazim Ali, Pro Se
PETITIONER