



IAPD Report

HATEM BEN DHIAB

CRD# 4993585

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When communicating online or investing with any professional, make sure you know who you're dealing with. [Imposters](#) might link to sites like BrokerCheck from [phishing](#) or similar scam websites, or through [social media](#), trying to steal your personal information or your money.

Please contact FINRA with any concerns.



IAPD Information About Representatives

IAPD offers information on all current-and many former representatives. Investors are strongly encouraged to use IAPD to check the background of representatives before deciding to conduct, or continue to conduct, business with them.

What is included in a IAPD report?

IAPD reports for individual representatives include information such as employment history, professional qualifications, disciplinary actions, criminal convictions, civil judgments and arbitration awards.

It is important to note that the information contained in an IAPD report may include pending actions or allegations that may be contested, unresolved or unproven. In the end, these actions or allegations may be resolved in favor of the representative, or concluded through a negotiated settlement with no admission or finding of wrongdoing.

Where did this information come from?

The information contained in IAPD comes from the Investment Adviser Registration Depository (IARD) and FINRA's Central Registration Depository, or CRD, (see more on CRD below) and is a combination of:

- information the states require representatives and firms to submit as part of the registration and licensing process, and
- information that state regulators report regarding disciplinary actions or allegations against representatives.

How current is this information?

Generally, representatives are required to update their professional and disciplinary information in IARD within 30 days.

Need help interpreting this report?

For help understanding how to read this report, please consult NASAA's IAPD Tips page <http://www.nasaa.org/IAPD/IARReports.cfm>

What if I want to check the background of an Individual Broker or Brokerage Firm?

To check the background of an Individual Broker or Brokerage firm, you can search for the firm or individual in IAPD. If your search is successful, click on the link provided to view the available licensing and registration information in FINRA's BrokerCheck website.

Are there other resources I can use to check the background of investment professionals?

It is recommended that you learn as much as possible about an individual representative or Investment Adviser firm before deciding to work with them. Your state securities regulator can help you research individuals and certain firms doing business in your state. The contact information for state securities regulators can be found on the website of the North American Securities Administrators Association <http://www.nasaa.org>



Report Summary

HATEM BEN DHIAB (CRD# 4993585)

The report summary provides an overview of the representative's professional background and conduct. The information contained in this report has been provided by the representative, investment adviser and/or securities firms, and/or securities regulators as part of the states' investment adviser registration and licensing process. The information contained in this report was last updated by the representative, a previous employing firm, or a securities regulator on **12/02/2022**.

CURRENT EMPLOYERS

	Firm	CRD#	Registered Since
IA	GERBER KAWASAKI WEALTH & INVESTMENT MANAGEMENT	CRD# 153649	07/20/2010

QUALIFICATIONS

This representative is currently registered in **0** SRO(s) and **1** jurisdiction(s).

Is this representative currently Inactive or Suspended with any regulator? **No**

Note: Not all jurisdictions require IAR registration or may have an exemption from registration.

Additional information including this individual's qualification examinations and professional designations is available in the Detailed Report.

REGISTRATION HISTORY

This representative was previously registered with the following firm(s):

	FIRM	CRD#	LOCATION	REGISTRATION DATES
B	LPL FINANCIAL LLC	6413	SANTA MONICA, CA	10/22/2012 - 05/09/2019
B	SAGEPOINT FINANCIAL, INC.	133763	SANTA MONICA, CA	10/31/2005 - 10/24/2012
IA	INDEPENDENT CAPITAL MANAGEMENT	121354	SANTA MONICA, CA	05/23/2007 - 06/09/2010

For additional registration and employment history details as reported by the individual, refer to the Registration and Employment History section of the Detailed Report.

DISCLOSURE INFORMATION

Disclosure events include certain criminal charges and convictions, formal investigations and disciplinary actions initiated by regulators, customer disputes and arbitrations, and financial disclosures such as bankruptcies and unpaid judgments or liens.

Are there events disclosed about this representative?

Yes

The following types of events are disclosed about this representative:

Type	Count
Customer Dispute	1



Qualifications

REGISTRATIONS

This section provides the SRO, states and U.S. territories in which the representative is currently registered and licensed, the category of each registration, and the date on which the registration becomes effective. This section also provides, for each firm with which the representative is currently employed, the address of each location where the representative works.

This individual is currently registered with **1** jurisdiction(s) and **0** SRO(s) through his or her employer(s).

Employment 1 of 1

Firm Name: **GERBER KAWASAKI WEALTH & INVESTMENT MANAGEMENT**

Main Address: 2437 MAIN STREET
SANTA MONICA, CA 90405

Firm ID#: 153649

	Regulator	Registration	Status	Date
IA	California	Investment Adviser Representative	Approved	07/20/2010

Branch Office Locations

GERBER KAWASAKI WEALTH & INVESTMENT MANAGEMENT

2716 OCEAN PARK BLVD #2020-2022
SANTA MONICA, CA 90405




Qualifications

PASSED INDUSTRY EXAMS




This section includes all industry exams that the representative has passed. Under limited circumstances, a representative may attain registration after receiving an exam waiver based on a combination of exams the representative has passed and qualifying work experience. Likewise a new exam requirement may be grandfathered based on a representative's specific qualifying work experience. Exam waivers and grandfathering are not included below.

This individual has passed 1 principal/supervisory exam, 3 general industry/product exams, and 2 state securities law exams.




Principal/Supervisory Exams

	Exam	Category	Date
	General Securities Principal Examination (S24)	Series 24	11/09/2006

General Industry/Product Exams

	Exam	Category	Date
	Securities Industry Essentials Examination (SIE)	SIE	10/01/2018
	General Securities Representative Examination (S7)	Series 7	07/11/2006
	Investment Company Products/Variable Contracts Representative Examination (S6)	Series 6	08/29/2005

State Securities Law Exams

	Exam	Category	Date
 	Uniform Combined State Law Examination (S66)	Series 66	08/21/2006
	Uniform Securities Agent State Law Examination (S63)	Series 63	09/15/2005

PROFESSIONAL DESIGNATIONS

This section details that the representative has reported **1** professional designation(s).

Certified Financial Planner

This representative holds or did hold **1** professional designation(s) that may have been used to qualify as an Investment Advisor representative. Please check with the appropriate designation authority for verification that the designation is still in effect. The contact information for these professional designation authorities can be found on the website for the North American Securities Administrators Association at <http://www.nasaa.org>



Registration & Employment History

PREVIOUSLY REGISTERED WITH THE FOLLOWING FIRMS

This representative held registrations with the following firms:

	Registration Dates	Firm Name	ID#	Branch Location
B	10/22/2012 - 05/09/2019	LPL FINANCIAL LLC	CRD# 6413	SANTA MONICA, CA
B	10/31/2005 - 10/24/2012	SAGEPOINT FINANCIAL, INC.	CRD# 133763	SANTA MONICA, CA
IA	05/23/2007 - 06/09/2010	INDEPENDENT CAPITAL MANAGEMENT	CRD# 121354	SANTA MONICA, CA
B	08/31/2005 - 10/31/2005	SUNAMERICA SECURITIES, INC.	CRD# 20068	PHOENIX, AZ

EMPLOYMENT HISTORY

Below is the representative's employment history for up to the last 10 years.

Employment Dates	Employer Name	Position	Investment Related	Employer Location
05/2010 - Present	GERBER KAWASAKI, INC.	INVESTMENT ADVISER REPRESENTATIVE	Y	SANTA MONICA, CA, United States
10/2012 - 04/2019	LPL FINANCIAL LLC	REGISTERED REPRESENTATIVE	Y	SANTA MONICA, CA, United States

OTHER BUSINESS ACTIVITIES

This section includes information, if any, as provided by the representative regarding other business activities the representative is currently engaged in either as a proprietor, partner, officer, director, employee, trustee, agent, or otherwise. This section does not include non-investment related activity that is exclusively charitable, civic, religious, or fraternal and is recognized as tax exempt.

(1) 10/22/2012 - GERBER KAWASAKI INSURANCE SERVICES/ OWNERSHIP OF INSURANCE AGENCY/ 20%/ SANTA MONICA, CA

(2) 10/22/2012 - GERBER KAWASAKI INSURANCE SERVICES/ SALES OF NON-VARIABLE INSURANCE/ 20%/ SANTA MONICA, CA

(3) Gerber Kawasaki Tax Services, Santa Monica, CA; not investment related; provides and accounting services; Financial Advisor, refer clients to tax and accounting department and be the liaison between client and CPA. Start date: January 2021; I devote 5 hours per month to this business; 0 hours during securities trading hours. I refer clients to Gerber Kawasaki Tax Services and I am a liaison between the client and CPA, financial planning advice.

(4) 8/17/2017 - No Business Name - Investment Related - 12846 N Seaglass Circle, Playa Vista, CA 90094 - Real Estate Rental - Started 08/05/2017 - 1 Hour Per Month During Securities Trading - Short term rental revenue to be generated from second home.



Disclosure Summary

Disclosure Information

What you should know about reported disclosure events:

(1) Certain thresholds must be met before an event is reported to IARD, for example:

- A law enforcement agency must file formal charges before an Investment Adviser Representative is required to report a particular criminal event.;
- A customer dispute must involve allegations that an Investment Adviser Representative engaged in activity that violates certain rules or conduct governing the industry and that the activity resulted in damages of at least \$5,000.

(2) Disclosure events in IAPD reports come from different sources:

As mentioned in the "About IAPD" section on page 1 of this report, information contained in IAPD comes from Investment Adviser Representatives, firms and regulators. When more than one of these sources reports information for the same disclosure event, all versions of the event will appear in the IAPD report. The different versions will be separated by a solid line with the reporting source labeled.

(3) There are different statuses and dispositions for disclosure events:

- A disclosure event may have a status of *pending*, *on appeal*, or *final*.
 - A "pending" disclosure event involves allegations that have not been proven or formally adjudicated.
 - A disclosure event that is "on appeal" involves allegations that have been adjudicated but are currently being appealed.
 - A "final" disclosure event has been concluded and its resolution is not subject to change.
- A final disclosure event generally has a disposition of *adjudicated*, *settled* or *otherwise resolved*.
 - An "adjudicated" matter includes a disposition by (1) a court of law in a criminal or civil matter, or (2) an administrative panel in an action brought by a regulator that is contested by the party charged with some alleged wrongdoing.
 - A "settled" matter generally represents a disposition wherein the parties involved in a dispute reach an agreement to resolve the matter. Please note that Investment Adviser Representatives and firms may choose to settle customer disputes or regulatory matters for business or other reasons.
 - A "resolved" matter usually includes a disposition wherein no payment is made to the customer or there is no finding of wrongdoing on the part of the Investment Adviser Representative. Such matters generally involve customer disputes.

(4) You may wish to contact the Investment Adviser Representatives to obtain further information regarding any of the disclosure events contained in this IAPD report.



DISCLOSURE EVENT DETAILS

When evaluating this information, please keep in mind that some items may involve pending actions or allegations that may be contested and have not been resolved or proven. The event may, in the end, be withdrawn, dismissed, resolved in favor of the Investment Adviser Representative, or concluded through a negotiated settlement with no admission or finding of wrongdoing.

This report provides the information exactly as it was reported to the Investment Adviser Registration Depository. Some of the specific data fields contained in the report may be blank if the information was not provided.

The following types of events are disclosed about this representative:

Type	Count
Customer Dispute	1

Customer Dispute

This section provides information regarding a customer dispute that was reported to the Investment Adviser Registration Depository (IARD) by the Investment Adviser Representative (IAR), an investment adviser and/or securities firm, and/or a securities regulator. The event may include a consumer-initiated, investment-related complaint, arbitration proceeding or civil suit that contains allegations of sales practice violations against the individual.

The customer dispute may be pending or may have resulted in a civil judgment, arbitration award, monetary settlement, closure without action, withdrawal, dismissal, denial, or other outcome.

Disclosure 1 of 1

Reporting Source: Individual

Employing firm when activities occurred which led to the complaint: SAGEPOINT FINANCIAL, INC.

Allegations: THE COMPLAINT ALLEGES THAT THE REPRESENTATIVE RECOMMENDED THAT THE PLAINTIFFS EXCHANGE THEIR EXISTING MASS MUTUAL VARIABLE LIFE POLICIES FOR AVIVA UNIVERSAL LIFE CONTRACTS, CAUSING THE PLAINTIFFS TO LOOSE THE ACCUMULATED CASH VALUE OF THEIR EXISTING POLICIES AS WELL AS CAUSING ADVERSE TAX CONSEQUENCES. THE COMPLAINT ALSO ALLEGES THAT THE REPRESENTATIVE MISREPRESENTED THE ANNUAL PREMIUMS OF THE NEW POLICIES AS \$40,000, WHEN THE PREMIUMS WERE ACTUALLY \$80,000. FURTHERMORE, THE COMPLAINT ALLEGES THAT THE REPRESENTATIVE FORGED THE SIGNATURE OF ONE OF THE PLAINTIFFS ON AN AVIVA LIFE INSURANCE ILLUSTRATION. THE COMPLAINT CONTAINS CAUSES OF ACTION FOR BREACH OF CONTRACT, BREACH OF GOOD FAITH AND FAIR DEALING, AND PROFESSIONAL NEGLIGENCE. THE REPRESENTATIVE DENIES ALL ALLEGATIONS AND MAINTAINS THAT HE ACTED APPROPRIATELY IN ALL OF HIS DEALING WITH THE PLAINTIFFS, THAT HIS RECOMMENDATIONS TO THE PLAINTIFFS WERE AT ALL TIMES SUITABLE AND APPROPRIATE, THAT THE AVIVA UNIVERSAL LIFE CONTRACTS AT ISSUE WERE PROPERLY DISCUSSED WITH AND DISCLOSED TO THE PLAINTIFFS, THAT THE PREMIUMS FOR THE AVIVA CONTRACTS WERE NOT MISREPRESENTED, AND THAT HE DID NOT FORGE THE SIGNATURE OF ONE OF THE PLAINTIFFS ON AN ILLUSTRATION.

Product Type: Insurance

Alleged Damages: \$0.00



Alleged Damages Amount
Explanation (if amount not exact):

DAMAGES UNSPECIFIED BUT REASONABLY BELIEVED TO BE GREATER THAN \$5,000

Is this an oral complaint? No

Is this a written complaint? Yes

Is this an arbitration/CFTC reparation or civil litigation? No

Customer Complaint Information

Date Complaint Received: 08/16/2012

Complaint Pending? No

Status: Evolved into Civil litigation (the individual is a named party)

Status Date: 02/20/2013

Settlement Amount:

Individual Contribution Amount:

Arbitration Information

Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.): FINRA

Docket/Case #: 14-00762

Date Notice/Process Served: 03/07/2014

Arbitration Pending? No

Disposition: Settled

Disposition Date: 11/03/2015

Monetary Compensation Amount: \$390,000.00

Individual Contribution Amount: \$234,000.00

Civil Litigation Information

Type of Court: State Court

Name of Court: CALIFORNIA STATE COURT

Location of Court: LOS ANGELES, CA

Docket/Case #: BC 498894

Date Notice/Process Served: 02/20/2013

Litigation Pending? No

Disposition: Dismissed

Disposition Date: 11/18/2013

Broker Statement THE CLAIMANTS OWNED INSURANCE POLICIES ISSUED BY MASSMUTUAL, WHICH DUE TO THE MARKET CRISIS OF 2008 AND FAILURE TO PAY PREMIUMS, HAD DECLINED IN VALUE. CLAIMANT THEN SOUGHT ADVICE FROM MR. DHIAB REGARDING THEIR POLICIES WITH THE PRIMARY GOAL



OF PRESERVING A DEATH BENEFIT. MR. DHIAB CREATED A PLAN DESIGNED TO ACHIEVE THIS AND PROVIDE CLAIMANTS WITH FINANCIAL FLEXIBILITY; HOWEVER, DUE TO UNFORSEEN CIRCUMSTANCES THAT WERE OUT OF MR. DHIAB'S CONTROL, THE POLICY WAS ALLOWED TO LAPSE. THE MATTER WAS SETTLED AS A BUSINESS DECISION TO AVOID THE TIME AND EXPENSE OF CONTINUED LITIGATION AND WITHOUT ANY ADMISSION OF LIABILITY WHATSOEVER ON THE PART OF MR. DHIAB WHO CONTINUES TO DENY ANY WRONGDOING. NO FINDING OF FAULT WERE MADE AGAINST MR. DHIAB. THE COURT ACTION WAS DISMISSED ON NOVEMBER 18, 2013. THE ARBITRATION WAS FILED ON MARCH 7, 2014. AFTER AN INVESTIGATION, THE COMPLAINT WAS DETERMINED TO BE WITHOUT MERIT AND DENIED.



End of Report

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