

40-33 "AIM INTERNATIONAL MUTUAL FUNDS"

811-6463  
Branch 8

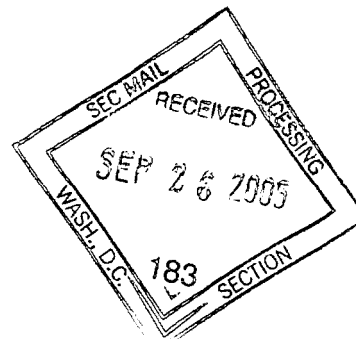
PO Box 4333  
Houston, TX 77210-4333  
11 Greenway Plaza, Suite 100  
Houston, TX 77046-1173  
713 626 1919



A I M Advisors, Inc.



September 19, 2005



**VIA CERTIFIED MAIL/RRR**

Securities and Exchange Commission  
450 Fifth Street  
Washington, D.C. 20549

Re: Filing Pursuant to Section 33 of the Investment Company Act of 1940 by A I M Management Group Inc. and A I M Distributors, Inc. (1933 Act Registration No. 8-21323)

Ladies and Gentlemen:

Pursuant to Section 33 of the Investment Company Act of 1940, we hereby file on behalf of A I M Management Group Inc. and A I M Distributors, Inc., a distributor, a copy of **Joint Motion to Dismiss All Claims With Prejudice, Proposed Order Granting Dismissal of All Claims With Prejudice**, and **Notice of Submission in DTI Financial, Inc. v. A I M Management Group Inc., and A I M Distributors, Inc.**

Sincerely,

Stephen R. Rimes  
Assistant General Counsel

Enclosures

cc: Mr. Robert B. Pike, SEC - Fort Worth  
Mr. James H. Perry, SEC - Fort Worth

PROCESSED  
DEC 02 2005  
THOMSON  
FINANCIAL



09/09/05

15:00

NO. 002 003

ALI S. AHMED P.C.

By: *Salar A. Ahmed*

Mr. Salar AH Ahmed

State Bar No. 24000342

1301 Travis Street, Suite 1200

Houston, Texas 77002

Telephone: 713.223.1300

Facsimile: 713.547.8910

**Counsel for Plaintiff**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of the foregoing pleading was served in compliance with Rule 21 and 21a of the Texas Rules of Civil Procedure on September 9, 2005.

\_\_\_\_\_  
Charles Jason Rother

ALI S. AHMED P.C.

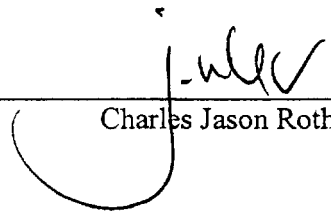
By: \_\_\_\_\_

Mr. Salar Ali Ahmed  
State Bar No. 24000342  
1301 Travis Street, Suite 1200  
Houston, Texas 77002  
Telephone: 713.223.1300  
Facsimile: 713.547.8910

**Counsel for Plaintiff**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing pleading was served in compliance with Rule 21 and 21a of the Texas Rules of Civil Procedure on September <sup>12</sup>~~8~~, 2005.

  
\_\_\_\_\_  
Charles Jason Rother

# **EXHIBIT A**

**AWARD**  
**NASD Dispute Resolution**

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In the Matter of the Arbitration Between

Name of Claimant

DTI Financial, Inc.

and

Case Number: 04-02421  
Hearing Site: Houston, Texas

Names of Respondents

A I M Distributors, Inc., and  
A I M Management Group, Inc.

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**NATURE OF DISPUTE**

Terminated Member v. Member and Non-Member

**REPRESENTATION OF PARTIES**

DTI Financial, Inc. ("Claimant") was represented by Ali S. Ahmed, Esq., Ali S. Ahmed, P.C. Houston, Texas.

A I M Distributors, Inc. ("A I M Distributors") and A I M Management Group, Inc. ("A I M Management") hereinafter collectively referred to as "Respondents", were represented by Charles Jason Rother, Esq., Fulbright & Jaworski, L.L.P., Houston, Texas.

**CASE INFORMATION**

The Statement of Claim was filed on or about April 6, 2004. The Submission Agreement of Claimant, DTI Financial, Inc., was signed by Deepak Gulati, on or about April 3, 2004. Claimant's Response to Respondents' Motion to Dismiss was filed on or about May 12, 2005. Claimant's Surreply to Respondents' Reply to Claimant's Response to Respondents' Motion to Dismiss and Motion for Summary Judgment was filed on or about May 31, 2005.

Statement of Answer was filed jointly by Respondents on or about January 13, 2005. The Submission Agreement of A I M Distributors was signed on or about January 7, 2005. A I M Management Group did not file a Submission Agreement.

Respondents' Motion to Dismiss was filed on or about April 27, 2005. Respondents' Reply to Claimant's Response to Respondents' Motion to Dismiss was filed on or about May 19, 2005.

### **CASE SUMMARY**

Claimant asserted the following causes of action: breach of fiduciary duty; unfair competition; business disparagement; unjust enrichment; misappropriation of confidential and proprietary information; breach of contract; negligent misrepresentation; intentional misrepresentation; fraud; and conversion of unpaid brokerage fees and commissions. Claimant alleged that Respondents stopped paying Rule 12b-1 fees and brokerage commissions owed to it for the period beginning July 1992 and ending March 2001.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted affirmative defenses including the following: DTI lacked standing and/or capacity to bring claims in this matter; pursuant to Rule 12b-1 under the Investment Company Act of 1940, AIM is prohibited from paying any 12b-1 fees without a valid written agreement; and pursuant to Rule 12b-1 under the Investment Company Act of 1940, assignment of a written agreement to pay 12b-1 fees is prohibited and invalidates the written agreement.

### **RELIEF REQUESTED**

Claimant requested an award in the amount of \$258,334.15 in compensatory damages, \$4,000,000.00 in punitive damages, \$194,027.42 in pre-judgment interest, post-judgment interest, their costs and attorneys' fees and all other relief, in law and equity, to which DTI may be entitled. Claimant also requested that all fees associated with this claim be waived.

Respondents requested that the claims asserted against them be denied in their entirety and all other just relief the panel deemed appropriate.

### **OTHER ISSUES CONSIDERED & DECIDED**

After hearing oral arguments on the outstanding motions, the panel denies Claimant's Motion for Summary Judgment and grants Respondents' Motion to Dismiss the claim with prejudice herein.

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. In either case, the parties have agreed to receive conformed copies of the award while the original(s) remain on file with NASD Dispute Resolution ("NASD").

### **AWARD**

After considering the pleadings, the testimony, and the evidence presented, the undersigned arbitrators have decided in full and final resolution of the issues submitted for determination as follows:

- 1) Claimant's claims, each and all, against Respondents, A I M Distributors, Inc. and A I M Management Group, Inc., are dismissed in their entirety with prejudice;
- 2) Other than Forum Fees which are specified below, the parties shall each bear their own costs and expenses incurred in this matter; and
- 3) Any relief not specifically enumerated, including punitive damages and attorneys' fees, is hereby denied with prejudice.

### **FEES**

Pursuant to the Code, the following fees are assessed:

#### **Filing Fees**

NASD Dispute Resolution will retain the non-refundable filing fees for each claim:

Initial claim filing fee = \$2,000.00

#### **Member Fees**

Member fees are assessed to each member firm that is a party in these proceedings or to the member firms that employed the associated person at the time of the events giving rise to the dispute. In this matter, the member firms are DTI Financial, Inc., and A I M Distributors, Inc.

Member surcharge = \$2,800.00  
Pre-hearing process fee = \$ 750.00  
Hearing process fee = \$5,000.00

#### **Forum Fees and Assessments**

The Arbitration Panel assesses forum fees for each hearing session conducted. A hearing session is any meeting between the parties and the arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:





**ARBITRATION PANEL**

James P. Hoefling - Public Arbitrator, Presiding Chair  
Raymond C. Kerr, Esq. - Public Arbitrator  
James M. Alexander - Non-Public Arbitrator

Concurring Arbitrators:

/s/ James P. Hoefling  
James P. Hoefling  
Public Arbitrator, Presiding Chair

06/22/05  
Signature Date

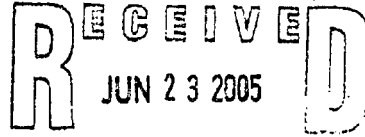
/s/ Raymond C. Kerr, Esq.  
Raymond C. Kerr, Esq.  
Public Arbitrator

06/21/05  
Signature Date

/s/ James M. Alexander  
James M. Alexander  
Non-Public Arbitrator

06/23/05  
Signature Date


06/23/05  
Date of Service (For NASD office use only)



**ARBITRATION PANEL**

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Concurring Arbitrators:

  
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James P. Hoefling  
Public Arbitrator, Presiding Chair

6-22-05  
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Signature Date

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Public Arbitrator

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6/21/05  
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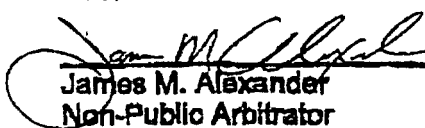
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Raymond C. Kerr, Esq.  
Public Arbitrator

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Signature Date



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James M. Alexander  
Non-Public Arbitrator

6-23-05

---

Signature Date

---

Date of Service (For NASD office use only)

DTI FINANCIAL, INC.,

Plaintiff,

v.

A I M DISTRIBUTORS, INC., and  
A I M MANAGEMENT GROUP INC.,

Defendants.

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

281ST JUDICIAL DISTRICT

**ORDER GRANTING DISMISSAL OF ALL CLAIMS WITH PREJUDICE**

Came on to be heard on this day the Joint Motion to Dismiss All Claims with Prejudice and, the Court having considered the same, is of the opinion that said Motion should be, in all things, granted.

It is, therefore **ORDERED, ADJUDGED** and **DECREED** that all claims and causes of action asserted by Plaintiff be, and are hereby, dismissed with prejudice to the re-filing of the same and that all costs of suit are hereby taxed against the party incurring same, which costs having been paid, let no execution issue.

SIGNED this the \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
JUDGE PRESIDING



09/09/05

15:00

NO.090 014

**APPROVED:**

**FULBRIGHT & JAWORSKI L.L.P.**

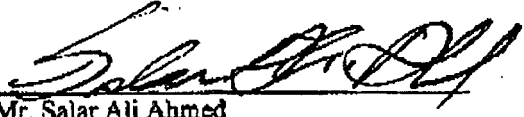
By: \_\_\_\_\_

David J. Levy  
State Bar No. 12264850  
Charles Jason Rother  
State Bar No. 24013423  
1301 McKinney, Suite 5100  
Houston, Texas 77010-3095  
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Facsimile: 713.651.5246

**Counsel for Defendants**

**ALI S. AHMED P.C.**

By: \_\_\_\_\_

  
Mr. Salar Ali Ahmed  
State Bar No. 24000342  
1301 Travis Street, Suite 1200  
Houston, Texas 77002  
Telephone: 713.223.1300  
Facsimile: 713 547.8910

**Counsel for Plaintiff**



DTI FINANCIAL, INC.,

Plaintiff,

v.

A I M DISTRIBUTORS, INC., and  
A I M MANAGEMENT GROUP INC.,

Defendants.

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

281ST JUDICIAL DISTRICT

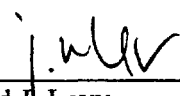
**NOTICE OF SUBMISSION**

The Joint Motion to Dismiss All Claims With Prejudice is set to be heard by submission on the 26th day of September, 2005, at 8:00 a.m., in the 281st Judicial District Court of Harris County, Texas.

Respectfully submitted,

FULBRIGHT & JAWORSKI L.L.P.

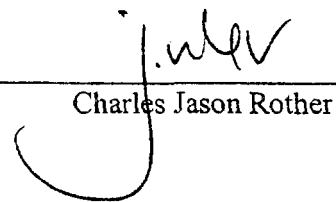
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Facsimile: 713.651.5246

**Counsel for Defendants**

CERTIFICATE OF SERVICE

This pleading has been served in compliance with Rules 21 and 21a of the Texas Rules of Civil Procedure on September <sup>12</sup>~~8~~, 2005.

  
\_\_\_\_\_  
Charles Jason Rother