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[20647002]

NBI said that it has the funds to pay the dividend , but that it does n't have the surplus or profit required under Delaware law for payment of the dividend .

[20647003]

All the preferred stock is held by the Yukon Office Supply Stock Ownership Plan .

[20647004]

Under terms of the stock , the Yukon ESOP can demand that the stock be redeemed for \$ 4,090,000 on Nov. 30 , but NBI said it is legally prohibited from making the redemption .

[20647005]

Failure to pay the dividend allows Yukon to convert all or some of its shares into NBI common after Nov. 30 , at a conversion price based on NBI 's closing stock price .

[20647006]

NBI , a maker of word-processing systems , said it ca n't predict if any of the preferred stock will be converted .

[20647007]

NBI also said it has hired Prudential-Bache Securities Inc. as its financial adviser and investment banker to help it restructure financially and improve its balance sheet .