
Stipulated Award
NASD

In the Matter of the Arbitration Between:

Names of the Claimants

Jaime E. Barrera and Martha E. Barrera, JTWROS

Case Number: 01-02844

Names of the Respondents

Richard Murtagh and Salomon Smith Barney, Inc.

Hearing Site: Boca Raton, FL

REPRESENTATION OF PARTIES

For Jaime E. Barrera and Martha E. Barrera, JTWROS, hereinafter collectively referred to as "Claimants":
Darren C. Blum, Esq., Law Offices of Darren Blum, Plantation, FL.

For Richard Murtagh ("Murtagh") and Salomon Smith Barney, Inc. ("SSB"), hereinafter collectively referred to as "Respondents": Linda R. Alpert, Senior Vice President, Associate General Counsel, Salomon Smith Barney, Inc., New York, NY.

CASE INFORMATION

Statement of Claim filed on or about: May 30, 2001.

Claimants signed the Uniform Submission Agreement: May 16, 2001.

Statement of Answer filed by Respondents on or about: July 30, 2001.

Respondent SSB signed the Uniform Submission Agreement: July 27, 2001.

Respondent Murtagh signed the Uniform Submission Agreement: July 30, 2001.

CASE SUMMARY

Claimants asserted the following causes of action: breach of fiduciary duty; breach of contract; negligence; negligent supervision; common law fraud; and violation of Section 517.301, Florida Statutes. The causes of action refer to Respondents' trading of the following securities in Claimants' account: Aim Fund, Alliance Technology Fund, Oppenheimer Growth and Income Fund, Double Click, and Nokia.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted various defenses.

RELIEF REQUESTED

Claimants requested compensatory damages in the amount of \$70,000.00 plus interest, rescission, reasonable attorney's fees, punitive damages, the costs of this proceeding, and any other relief deemed just and proper.

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Respondents requested that the Statement of Claim be dismissed, the registration records of Respondent Murtagh be expunged, and all costs be assessed against Claimants.

OTHER ISSUES CONSIDERED AND DECIDED

On or about April 11, 2002, a Joint Motion Requesting Expungement was filed with NASD, which stated that Claimants had dismissed all claims against Respondents, and requested that Respondent Murtagh's permanent CRD records be expunged of all references to this matter.

The parties have agreed that the Stipulated Award in this matter may be executed in counterpart copies.

AWARD

After considering the pleadings and the Joint Motion Requesting Expungement, the undersigned arbitrators (the "Panel") has decided in full and final resolution of the issues submitted for determination as follows:

The Panel recommends the expungement of all references to the above captioned arbitration from Respondent Murtagh's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, Respondent Murtagh must obtain confirmation from a court of competent jurisdiction before the NASD CRD will execute the expungement directive.

FEES

Pursuant to the NASD Code of Arbitration Procedure (the "Code"), the following fees are assessed:

Filing Fees

NASD will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee = \$ 225.00

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 at the time of the events giving rise to the dispute. Accordingly, Respondent SSB is assessed:

Member surcharge = \$ 1,000.00

Pre-hearing process fee = \$ 600.00

Hearing process fee = \$ 1,500.00

Adjournment Fees

Adjournment fees were not assessed in this matter.

Injunctive Relief Fees

Injunctive relief fees are assessed to each member or associated person who files for a temporary injunction in court. Parties in these cases are also assessed arbitrator travel expenses and costs when an arbitrator is required to travel outside his or her hearing location and additional arbitrator honoraria for the hearing for permanent

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injunction. These fees, except the injunctive relief surcharge, are assessed equally against each party unless otherwise directed by the panel.

Injunctive relief fees were not assessed in this matter.

Forum Fees and Assessments

The Panel has assessed forum fees for each session conducted. A 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:

One (1) Pre-hearing session with Panel @ \$ 1,200.00	= \$ 1,200.00
Pre-hearing conference: January 30, 2001 1 session	
<hr/> Total Forum Fees	= \$ 1,200.00

The Panel has assessed the total forum fees of \$ 1,200.00 to Respondent SSB.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

Administrative costs were not incurred in this matter.

Fee Summary

1. Claimants are jointly and severally liable for:

Initial Filing Fee	= \$ 225.00
Total Fees	= \$ 225.00
<u>Less payments</u>	= \$ 225.00
Balance Due NASD	= \$ 0.00

3. Respondent SSB is solely liable for:

Member Fees	= \$ 3,100.00
<u>Forum Fees</u>	= \$ 1,200.00
Total Fees	= \$ 4,300.00
<u>Less payments</u>	= \$ 3,100.00
Balance Due NASD	= \$ 1,200.00

All balances are payable to NASD and are due upon receipt pursuant to Rule 10330(g) of the Code.

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ARBITRATION PANEL

John A. LaBarbera	-	Public Arbitrator, Presiding Chairperson
Leslie L. Cooney, Esq.	-	Public Arbitrator
Lewis W. Slaughter	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

/s/
John A. LaBarbera
Public Arbitrator, Presiding Chairperson

Signature Date

/s/
Leslie L. Cooney, Esq.
Public Arbitrator

Signature Date

/s/
Lewis W. Slaughter
Non-Public Arbitrator

Signature Date

October 30, 2002

Date of Service (For NASD office use only)

NASD

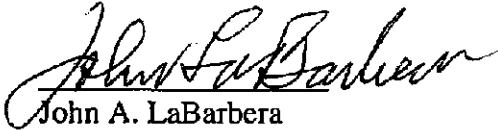
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Leslie L. Cooney, Esq.	-	Public Arbitrator
Lewis W. Slaughter	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures



John A. LaBarbera
Public Arbitrator, Presiding Chairperson

9-9-02
Signature Date

Leslie L. Cooney, Esq.
Public Arbitrator

Signature Date

Lewis W. Slaughter
Non-Public Arbitrator

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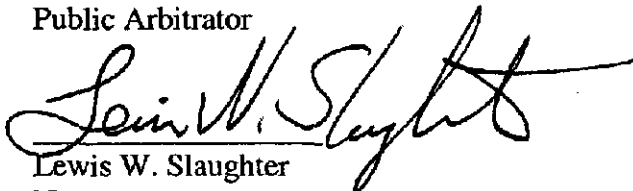
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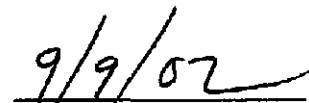
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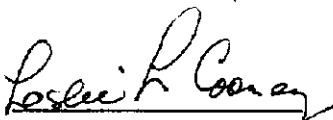
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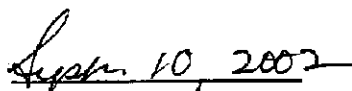
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Public Arbitrator, Presiding Chairperson

Signature Date



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Public Arbitrator



Signature Date

Lewis W. Slaughter
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