
Stipulated Award
NASD

In the Matter of the Arbitration Between:

Name of the Claimant
Guy Bohmer, SSB IRA

Case Number:
01-03042

Names of the Respondents
Salomon Smith Barney, Inc., Ronald Rosenberg, and Jonathan J. Grant

Hearing Site:
Boca Raton, FL

REPRESENTATION OF PARTIES

For Guy Bohmer, SSB IRA, hereinafter referred to as "Claimant": Darren C. Blum, Esq., Law Offices of Darren C. Blum, P.A., Plantation, FL.

For Respondents Salomon Smith Barney, Inc. ("SSB"), Ronald Rosenberg ("Rosenberg"), and Jonathan J. Grant ("Grant") hereinafter collectively referred to as "Respondents": Matthew N. Thibaut, Esq., Boose, Casey, Cilkin, Lubitz, Martens, McBane & O'Connell, West Palm Beach, FL.

CASE INFORMATION

Statement of Claim filed on or about: June 6, 2001.
Claimant signed the Uniform Submission Agreement: May 15, 2001.
Statement of Answer filed by Respondents on or about: September 7, 2001.
Respondent SSB signed the Uniform Submission Agreement: July 5, 2001.
Respondent Grant signed the Uniform Submission Agreement: July 24, 2001.
Respondent Rosenberg did not file an executed Uniform Submission Agreement.

CASE SUMMARY

Claimant asserted the following causes of action: breach of fiduciary duty; breach of contract; common law fraud; unsuitability; negligence; negligent supervision; and violations of Section 517, Florida Statutes. The causes of action relate to the improper trading of various securities, including, but not limited to, Cisco, Sun Microsystems, JDS Uniphase, RF Micro Devices, NE Optic Network, Motorola, and Neon Communications, Inc. in Claimant's account.

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

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$1,150,000.00, plus interest at the legal rate from the date of purchase or reasonable market return, rescission, reasonable attorney's fees, punitive damages, costs of this proceeding, and for such other relief as is just and proper.

Respondents requested that the Statement of Claim be dismissed in its entirety.

OTHER ISSUES CONSIDERED AND DECIDED

Respondent Rosenberg did not file with NASD a properly executed submission to arbitration but is required to submit to arbitration pursuant to the NASD Code of Arbitration Procedure (the "Code") and, having answered the claim, is bound by the determination of the undersigned arbitrator (the "Arbitrator") on all issues submitted.

On or about February 22, 2002, the parties filed with NASD a Stipulation to Dismiss and Expunge Registered Representative's Record, and a proposed Stipulated Award, wherein the parties agreed to dismiss this matter with prejudice, and requested that the Arbitrator expunge all references to this matter from Respondent Grant's registration records maintained by the NASD Central Registration Depository ("CRD").

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

AWARD

After considering the pleadings, the Stipulation to Dismiss and Expunge Registered Representative's Record, and the proposed Stipulated Award, the Arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

1. Claimant's withdrawal of his claims with prejudice is accepted, and Respondents are dismissed from this matter.
2. The Arbitrator recommends the expungement of all references to the above captioned arbitration from Respondent Grant's registration records maintained by the NASD CRD, with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, Respondent Grant must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.

FEES

Pursuant to 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 = \$ 500.00

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

Member surcharge	= \$ 2,500.00
Pre-hearing process fee	= \$ 600.00

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 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 Arbitrator has assessed forum fees for each session conducted. A session is any meeting between the parties and the Arbitrator, including a pre-hearing conference with the Arbitrator, that lasts four (4) hours or less.

Forum fees were not assessed in this matter.

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. Claimant is solely liable for:

<u>Initial Filing Fee</u>	= \$ 500.00
Total Fees	= \$ 500.00
Less payments	= \$ 500.00
Balance Due NASD	= \$ 0.00

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2! Respondent SSB is solely liable for:

Member Fees	= \$ 3,100.00
Total Fees	= \$ 3,100.00
Less payments	= \$ 2,500.00
Balance Due NASD	= \$ 600.00

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

ARBITRATOR

Howard A. Tescher, Esq.

- Industry Arbitrator

Arbitrator's Signature

/s/

Howard A. Tescher, Esq.
Industry Arbitrator

Signature Date

October 30, 2002

Date of Service (For NASD office use only)

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2. Respondent SSB is solely liable for:

<u>Member Fees</u>	= \$ 3,100.00
<u>Total Fees</u>	= \$ 3,100.00
<u>Less payments</u>	= \$ 2,500.00
<u>Balance Due NASD</u>	= \$ 600.00

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

ARBITRATOR

Howard A. Tescher, Esq.

Industry
~~Public~~ Arbitrator

Arbitrator's Signature

Howard A. Tescher, Esq.

~~Public~~ Arbitrator

Industry

9/20/02

Signature Date

Date of Service (For NASD office use only)