

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Names of the Claimants

Elsie Simerman and Lee Simerman,
Co-Trustees for The Elsie Simerman Revocable
Living Trust and The Albert Simerman
Residuary Trust

Case Number: 02-07640

Names of the Respondents

Prudential Equity Group, Inc.
Citigroup Global Markets, Inc.
(formerly known as Salomon Smith Barney, Inc.)
Patricia E. Selin

Hearing Site: Boca Raton, Florida

Nature of the Dispute: Customer vs. Member and Associated Person.

REPRESENTATION OF PARTIES

For Elsie Simerman and Lee Simerman, Co-Trustees for The Elsie Simerman Revocable Living Trust and The Albert Simerman Residuary Trust ("Simermans"), hereinafter referred to as "Claimants": Brian J. Neville, Law Offices of Brian J. Neville, P.C., New York, New York.

For Respondent Citigroup Global Markets, Inc. ("CGM") (formerly known as Salomon Smith Barney, Inc.): James S. Goddard, Senior Vice President, Associate General Counsel, Citigroup Global Markets, Inc., New York, New York and Neil B. Solomon, Esq., Greenberg, Traurig, P.A., West Palm Beach, Florida.

For Respondent Prudential Equity Group, Inc. ("PEG"): Jack Stein, Esq., Stein, Rosenberg & Stein, P.A., Fort Lauderdale, Florida

For Respondent Patricia E. Selin ("Selin"): John Seligman, Esq., Friedman & Friedman, P.A., Coral Gables, Florida.

CASE INFORMATION

Statement of Claim filed on or about: December 16, 2002.

Claimants signed the Uniform Submission Agreement: September 27, 2002 and October 4, 2002.

Statement of Answer, Counterclaim and Motion to Reappoint Panel filed by Respondent CGM on or about: February 26, 2003.

Statement of Answer, Counterclaim and Motion to Reappoint Panel filed by Respondents PEG and Selin on or about: February 18, 2003.

Respondent CGM signed the Uniform Submission Agreement: February 26, 2003.

Respondents PEG and Selin did not file executed Uniform Submission Agreements.

CASE SUMMARY

Claimants asserted the following causes of action: 1) unsuitable recommendations; 2) fraud and misrepresentation; 3) violation of Section 10 (b) of the Securities Exchange Act of 1934; 4) violation of industry rules; 5) breach of contract; 6) negligent supervision; 7) breach of fiduciary duty; 8) common law fraud; and 9) violation of Florida Statutes, Chapter 517. The causes of action relate to the sale of unspecified securities products, the subsequent purchase of rare coins and promissory note investments in Claimants' account.

Unless specifically admitted in its Answer, Respondent CGM denied the allegations made in the Statement of Claim and asserted various defenses. In its Counterclaim, Respondent CGM asserted a cause of action for indemnity and contribution.

Unless specifically admitted in their Answer, Respondents PEG and Selin denied the allegations made in the Statement of Claim and asserted various defenses. In their Counterclaim Respondents PEG and Selin asserted a cause of action for indemnity and contribution.

RELIEF REQUESTED

Claimants requested compensatory damages of \$335,000.00, plus interest from the date of deposit to the date of the Award at the rate of nine per cent (9%) or, in the alternative, to award what well managed accounts would have earned during the time that Claimants' accounts were opened at Respondent CGM, attorney's fees, reimbursement of all filing and hearing fees and such other relief as is deemed just and equitable.

Respondent CGM requested in its Statement of Answer and Counterclaim that all claims against it be dismissed, and that it be awarded its costs, fees and such other and further relief as is deemed just and equitable. In addition, Respondent CGM requested that all references to this matter be expunged from the NASD Central Registration Depository ("CRD") record of Respondent Selin.

Respondents PEG and Selin requested that all claims against them be dismissed. In their Counterclaim, Respondents PEG and Selin requested that Claimants be charged all forum fees and costs, attorneys fees and that all references to this matter be expunged from the NASD CRD record of Respondent Selin.

OTHER ISSUES CONSIDERED AND DECIDED

Respondents PEG and Selin did not file with NASD Dispute Resolution, properly executed submissions to arbitration but are required to submit to arbitration pursuant to the NASD Code of Arbitration Procedure (the "Code") and, having answered the claim, appeared and testified at the hearing, are bound by the determination of the undersigned arbitrators (the

"Panel") on all issues submitted.

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

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, and the post-hearing submissions (if any), the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Respondent Selin is found liable on the claim of breach of fiduciary duty and shall pay to Claimants the sum of \$116,665.00 in compensatory damages, pre-judgment interest specifically excluded.
2. Each party shall bear its own attorney's fees and witness fees.
3. Claimants' claims against Respondents CGM and PEG are dismissed with prejudice.
4. Claimants' claim for relief pursuant to Florida Statutes Chapter 517 are specifically denied.
5. Respondents' counterclaims are dismissed with prejudice.
6. Any and all claims for relief not specifically addressed herein are denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Initial claim filing fee	= \$ 300.00
Counterclaim filing fee	= \$ 500.00

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. Accordingly, PEG is a member firm and a party.

Member surcharge	= \$1,700.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$2,750.00

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. Accordingly, CGM is a member firm and a party.

Member surcharge	= \$1,700.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$2,750.00

Adjournment Fees

No adjournments were granted during these proceedings for which fees were assessed.

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.

No injunctive relief fees were incurred during this proceeding.

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 a single arbitrator @ \$450.00	= \$ 450.00
Pre-hearing conference: September 29, 2003	1 session

One (1) Pre-hearing session with the Panel @ \$1,125.00	= \$1,125.00
Pre-hearing conference: June 16, 2003	1 session

Six (6) Hearing sessions @ \$1,125.00	= \$6,750.00
Hearing Dates: December 2, 2003	2 sessions
December 3, 2003	2 sessions
December 4, 2003	2 sessions

Total Forum Fees	= \$8,325.00
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The Panel has assessed \$2,775.00 of the forum fees jointly and severally to Claimants.

The Panel has assessed \$5,550.00 of the forum fees jointly and severally to Respondents PEG and Selin.

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.

No administrative fees were incurred during this proceeding.

Fee Summary

Claimants are jointly and severally liable for:

Initial Filing Fee	= \$ 300.00
Forum Fees	= \$2,775.00
Total Fees	= \$3,075.00
Less payments	= \$1,425.00
Balance Due NASD Dispute Resolution	= \$1,650.00

Respondent PEG is solely liable for:

Member Fees	= \$5,200.00
Total Fees	= \$5,200.00
Less payments	= \$5,200.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondent CGM is solely liable for:

Counterclaim Filing Fee	= \$ 500.00
Member Fees	= \$5,200.00
Total Fees	= \$5,700.00
Less payments	= \$5,700.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondents PEG and Selin are jointly and severally liable for:

Counterclaim Filing Fee	= \$ 500.00
Forum Fees	= \$5,550.00
Total Fees	= \$6,050.00
Less payments	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$6,050.00

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

ARBITRATION PANEL

<i>Elizabeth L. Clark</i>	-	<i>Public Arbitrator, Presiding Chairperson</i>
<i>Robert D. Herschman</i>	-	<i>Public Arbitrator</i>
<i>Susan L. Torbin</i>	-	<i>Non-Public Arbitrator</i>

Concurring Arbitrators' Signatures

/s/
Elizabeth L. Clark
Public Arbitrator, Presiding Chairperson

Signature Date

/s/

Robert D. Herschman
Public Arbitrator

Signature Date

/s/

Susan L. Torbin
Non-Public Arbitrator

Signature Date

January 22, 2004

Date of Service (For NASD Dispute Resolution office use only)

Fee Summary

Claimants are jointly and severally liable for:

Initial Filing Fee	= \$ 300.00
Forum Fees	= \$2,775.00
Total Fees	= \$3,075.00
Less payments	= \$1,425.00
Balance Due NASD Dispute Resolution	= \$1,650.00

Respondent PEG is solely liable for:

Member Fees	= \$5,200.00
Total Fees	= \$5,200.00
Less payments	= \$5,200.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondent CGM is solely liable for:

Counterclaim Filing Fee	= \$ 500.00
Member Fees	= \$5,200.00
Total Fees	= \$5,700.00
Less payments	= \$5,700.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondents PEG and Selin are jointly and severally liable for:


Counterclaim Filing Fee	= \$ 500.00
Forum Fees	= \$5,550.00
Total Fees	= \$6,050.00
Less payments	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$6,050.00

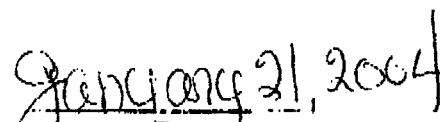
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ARBITRATION PANEL

Elizabeth L. Clark	-	Public Arbitrator, Presiding Chairperson
Robert D. Herschman	-	Public Arbitrator
Susan L. Terbin	-	Non Public Arbitrator

Concurring Arbitrators' Signatures


Elizabeth L. Clark
Public Arbitrator, Presiding Chairperson


Signature Date 21, 2004

Robert D. Herschman
Robert D. Herschman
Public Arbitrator

1/21/04
Signature Date

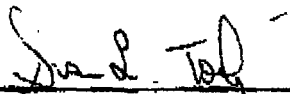
Susan L. Torbin
Susan L. Torbin
Non-Public Arbitrator

Signature Date

Date of Service (For NASD Dispute Resolution office use only)

Robert D. Herschman
Public Arbitrator

Signature Date



Susan L. Torbin
Non-Public Arbitrator



Signature Date

Date of Service (For NASD Dispute Resolution office use only)