

**NASD DISPUTE RESOLUTION AWARD**

**NASD DISPUTE RESOLUTION**

CASE: 03-00326

John Chiaramonte and Alice Chiaramonte, Claimants v. Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc. and Jack B. Grubman, Respondents.

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**ATTORNEYS:**

For Claimants, John Chiaramonte and Alice Chiaramonte, ("Claimants"), appeared James Richard Hooper, Esq., Orlando, FL.

For Respondents, Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc., and Jack B. Grubman, ("Respondents"), appeared Bradford D. Kaufman, Esq., West Palm Beach, FL.

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**NATURE OF DISPUTE:** Customers v. Member and Associated Person

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**DATE FILED:** January 13, 2003

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**CASE SUMMARY:** Claimants alleged that Respondents omitted material facts in connection with the offer and sale of WorldCom stock. Claimants alleged that Respondents violated Section 17(a) of the Securities Act of 1933, Chapter 517.301 of the Florida Securities and Investor Protection Act, and NASD Rule 2210(d)(1). Claimants further alleged that Respondents breached their fiduciary duty and that Citigroup Global Markets, Inc. is liable under the doctrine of respondeat superior.

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**OTHER ISSUES:** On June 16, 2003, Claimants filed an Amended Statement of Claim.

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**Claim Data**

Claim: \$1,775.07  
Punitive Damages: Unspecified  
Interest: Unspecified  
Attorney Fees: Unspecified  
Filing Fees: Unspecified  
Other: Unspecified

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**Award Data**

Award: \$.00  
Punitive Damages: \$.00  
Interest: \$.00  
Attorney Fees: \$.00  
Filing Fees: \$37.50  
Other: \$.00

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**AWARD:** The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The claims of the Claimants are dismissed in their entirety. 2) All requests for punitive damages are denied. 3) All requests for interest are denied. 4) All requests for attorney fees are denied. 5) All other relief requests are denied. 6) NASD Dispute Resolution shall retain the \$75.00 filing fee that the Claimants deposited previously. 7) Respondents are jointly and severally liable and shall pay to the Claimants \$37.50 as reimbursement of one-half of the filing fee.

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**OTHER FEES:** Pursuant to Rule 10333 of the Code, Respondent Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc. has paid to NASD Dispute Resolution the \$150.00 Member Surcharge previously invoiced.

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**ARBITRATOR**

Patricia Gunn Zimmerman, CPA - Sole Public Arbitrator

**AFFIRMATION**

I, Patricia Gunn Zimmerman, CPA, do hereby affirm, upon my oath as arbitrator that I am the individual described herein who executed this instrument, which is my oath and award.

  
Patricia Gunn Zimmerman, CPA

2/19/04  
Signature Date

February 24, 2004

Date of Service (For NASD-DR office use only)