

AWARD
NASD Dispute Resolution

In the Matter of the Arbitration Between

Name of Claimant

Jeanette H. McCartney & JHM Trust

and

03-00788
Phoenix, Arizona

Name of Respondents

Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc.
Paul J. Abrams
William F. Dodge, II
Lisa Kaye

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

REPRESENTATION OF PARTIES

Jeanette H. McCartney & JHM Trust ("**Claimant**") was represented by Charles M. O'Rourke, Esq. Woodbury, New York.

Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc., Paul J. Abrams, William F. Dodge, II, and Lisa Kaye (collectively as "**Respondents**") were represented by Tom Galbraith, Esq., Meyer, Hendricks & Bivens, P.A., Phoenix, Arizona.

CASE INFORMATION

The Statement of Claim was filed on or about January 29, 2003.

Statement of Answer was filed by Respondents Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc., Paul J. Abrams, William F. Dodge, II and Lisa Kaye on or about May 12, 2003. Submission Agreement of Respondent Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc. was signed on June 9, 2003.

CASE SUMMARY and RELIEF REQUESTED

Claimants filed a claim and alleged \$500,000.00 in damages, based on violations of Federal and State Securities Statutes, NASD rules and regulations, negligent supervision, Section 10(b) and Rule 10(b), breach of fiduciary duty, negligence, gross negligence, negligent supervision, fraud, and misrepresentations.

Respondents denied Claimants' allegations, and denied any liability for any alleged monetary damages. Additionally, Respondents requested that the Claim be dismissed in its entirety with prejudice, and that all references to this matter be expunged from William F. Dodge ("Dodge's"), and Lisa Kaye ("Kaye's") permanent Central Registration Depository ("CRD") records.

OTHER ISSUES CONSIDERED & DECIDED

This matter was settled by the parties prior to a final arbitration hearing. A Stipulation to Dismiss and Expunge Dodge's and Kaye's CRD records was filed with the NASD.

The parties have entered into a Stipulation wherein they agreed;

- To dismiss, with prejudice, all claims asserted in this matter;
- Request that the Arbitration Panel issue an order expunging any reference of this matter from Respondents William F. Dodge's, and Lisa Kaye's Form U-5 on file with the Central Registration Depository.
- Each party shall bear its own costs and attorney's fees. The NASD shall retain any fees already paid by the parties, subject to either party's right, under the Code, to obtain complete or partial refund of fees paid.

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered. In either case, the parties have agreed to receive conformed copies of the award while the original(s) remain on file with the NASD Dispute Resolution (the "NASD").

AWARD

Pursuant to the Stipulation of the parties, the undersigned arbitrators have decided in full and final resolution of the issues submitted for determination as follows:

1. The claims asserted in this matter shall be and hereby are dismissed with prejudice.
2. The Panel recommends the expungement of all reference to the above captioned arbitration from Respondent William F. Dodge II'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 William F. Dodge II must obtain *confirmation from a court of competent jurisdiction* before the CRD will execute the expungement directive.
3. The Panel recommends the expungement of all reference to the above captioned arbitration from Respondent Lisa Kaye'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 Lisa Kaye must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.

4. That to the extent not specifically awarded or otherwise provided for herein, all other claims and requests for relief by any party hereto are denied with prejudice.

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
Counter claim filing fee	= \$250.00

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. In this matter, the member firm(s) is Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc.

Member surcharge	\$	1,700.00
Pre-hearing process fee	\$	750.00
Hearing process fee	\$	2,750.00
Total Member Fees	\$	5,200.00

Fee Summary

Claimants, Jeanette H. McCartney & JHM Trust shall be and hereby are jointly and severally liable for:

Initial Filing Fee	= \$	300.00
<u>Forum Fees</u>	= \$	0.00
Total Fees	= \$	300.00
<u>Less payments</u>	= \$	-1,575.00
Balance to be refunded by NASD Dispute Resolution	= \$	-1,275.00

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Respondent, Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc., shall be and hereby is liable for:

Member Fees	= \$	5,200.00
<u>Forum Fees</u>	= \$	0.00
Total Fees	= \$	5,200.00
<u>Less payments</u>	= \$	-5,200.00
Balance to be refunded by NASD Dispute Resolution	= \$	0.00

Respondents, William F. Dodge, II, and Lisa Kaye, shall be and hereby are jointly and severally liable for:

Counterclaim Filing Fee	= \$	250.00
<u>Forum Fees</u>	= \$	0.00
Total Fees	= \$	250.00
<u>Less payments</u>	= \$	-0.00
Balance Due NASD Dispute Resolution	= \$	250.00

All balances are due to NASD Dispute Resolution

ARBITRATION PANEL

Philip B. Whitaker, Esq. - Public Arbitrator, Presiding Chair
Sandra Lynn Slaton, J.D. - Public Arbitrator
Jeffrey Scott Dow - Non-Public Arbitrator

Concurring Arbitrators:


Philip B. Whitaker, Esq.
Public Arbitrator, Presiding Chair

12/24/03
Signature Date

Sandra Lynn Slaton, J.D.
Public Arbitrator

Signature Date

Jeffrey Scott Dow
Non-Public Arbitrator

Signature Date

NASD Dispute Resolution, Inc.
 Arbitration No. 03-00788
 Award Page 4 of 4

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NASD Dispute Resolution, Inc.
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 Signature Date

 Sandra Lynn Slaton, J.D.
 Public Arbitrator

 Signature Date

 Jeffrey Scott Dow
 Non-Public Arbitrator

 Signature Date

12/30/03