

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

John K. Koppelman and Ema Salas Koppelman JTWROS, and Ema Salas Koppelman SSB Roth
Spousal IRA Custodian, Claimants v. Citigroup Global Markets Inc. f.k.a. Salomon Smith
Barney Inc., Respondent

Case Number: 03-01062

Hearing Site: Los Angeles, California

Nature of the Dispute: Customers v. Member

REPRESENTATION OF PARTIES

For Claimants:

Anthony A. Liberatore, Esq.
Liberatore & Turk
Santa Monica, California

For Respondent:

Linda R. Alpert, Esq.
Citigroup Global Markets Inc.
New York, New York

CASE INFORMATION

Statement of Claim filed: February 12, 2003

Claimants' Joint Uniform Submission Agreement signed: February 4, 2003

Statement of Answer filed by Respondent: April 3, 2003

Respondent's Uniform Submission Agreement signed: April 3, 2003

CASE SUMMARY

Claimants alleged unsuitability, misrepresentations, breach of fiduciary duty, constructive fraud, failure to supervise, violation of federal and state securities laws and NYSE/NASD rules, involving various stocks, stock-based mutual funds, and investment trusts including Smith Barney Aggressive Growth Fund, Smith Barney Technology Fund, Smith Barney Fundamental Value Fund, NASDAQ 100 Trust Shares, S&P Midcap 400, Read Rite, Microsoft, Loral Space, Sonus Networks, S&P Depositary Receipts Trust, CSK Auto, Franchise Finance, Ford, Exxon, General Electric, Intel, Pfizer.

Respondent denied the allegations of wrongdoing set forth in the Claimants' Statement of Claim.

RELIEF REQUESTED

Claimants requested \$109,551.60 in compensatory damages, unspecified punitive damages, pre- and post-judgment interest at the legal rate, disgorgement and restitution of Respondent's earnings, profits, compensation and benefits, lost opportunity costs, rescission, and costs, including attorney's fees.

Respondent requested dismissal of the Claimants' Statement of Claim in its entirety and costs.

OTHER ISSUES CONSIDERED AND DECIDED

On April 25, 2003, Claimants and Claimants' counsel signed a Waiver Agreement expressly waiving any and all rights and benefits under California Civil Code Section 1542 and the California Ethical Standards for Neutral Arbitrators.

On May 5, 2003, Respondent's counsel signed a Waiver Agreement expressly waiving any and all rights and benefits under California Civil Code Section 1542 and the California Ethical Standards for Neutral Arbitrators.

The parties agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

After considering the pleadings, testimony, and evidence presented at the hearing, the Panel decided in full and final resolution of the issues submitted for determination as follows:

- 1) Claimants' claims are denied in their entirety.
- 2) The parties shall bear their respective costs, including attorney's fees.
- 3) All other relief requested and not expressly granted is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Initial claim filing fee	= \$ 300.00
--------------------------	-------------

Member Fees

Member fees are assessed to each member firm that is either a party in the matter or an employer of a respondent associated person at the time of the events that gave rise to the dispute, claim, or controversy. Accordingly, the member firm Citigroup Global Markets Inc. f.k.a. Salomon Smith Barney Inc. is a party and the following fees are assessed:

Member Surcharge	= \$ 1,700.00
Pre-Hearing Process Fee	= \$ 750.00
<u>Hearing Process Fee</u>	= \$ 2,750.00
Total Member Fees	= \$ 5,200.00

Forum Fees and Assessments

The Panel assessed a forum fee for each pre-hearing conference or hearing session conducted. A pre-hearing conference and hearing session is any meeting between the parties and the Chair/Panel. The following fees are assessed:

1 Pre-hearing conference session with the Panel @ \$1,125.00/session	= \$ 1,125.00
Pre-hearing conference: July 22, 2004	1 session
4 Hearing sessions @ \$1,125.00/session	= \$ 4,500.00
Hearings: February 3, 2004	2 sessions
February 4, 2004	2 sessions

Total Forum Fees	= \$ 5,625.00
-------------------------	----------------------

1. The Panel assessed \$ 2,812.50 of the forum fees jointly and severally to Claimants.
2. The Panel assessed \$ 2,812.50 of the forum fees to Respondent.

Fee Summary

1. Claimants are charged jointly and severally with the following fees and costs:

Initial Filing Fee	= \$ 300.00
<u>Forum Fees</u>	= \$ 2,812.50
Total Fees	= \$ 3,112.50
<u>Less payments</u>	= \$(1,425.00)
Balance Due NASD Dispute Resolution	= \$ 1,687.50

2. Respondent is charged with the following fees and costs:

Member Fees	= \$ 5,200.00
<u>Forum Fees</u>	= \$ 2,812.50
Total Fees	= \$ 8,012.50
<u>Less payments</u>	= \$(5,200.00)
Balance Due NASD Dispute Resolution	= \$ 2,812.50

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

ARBITRATION PANEL

Jeffrey G. Kichaven, Esq.	-	Public Arbitrator, Presiding Chair
Richard Gordon, Esq.	-	Public Arbitrator
Leo B. Rotter	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures



Jeffrey G. Kichaven, Esq.
Chair, Public Arbitrator




Signature Date

Richard Gordon, Esq.
Public Arbitrator

Signature Date

Leo B. Rotter
Non-Public Arbitrator

Signature Date




Date of Service

ARBITRATION PANEL

Jeffrey G. Kichaven, Esq.	-	Public Arbitrator, Presiding Chair
Richard Gordon, Esq.	-	Public Arbitrator
Leo B. Rotter	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

Jeffrey G. Kichaven, Esq.
Chair, Public Arbitrator



Richard Gordon, Esq.
Public Arbitrator

Signature Date

2-6-04

Signature Date

Leo B. Rotter
Non-Public Arbitrator

Signature Date

2/6/04 2/6/04

Date of Service

ARBITRATION PANEL

Jeffrey G. Kichaven, Esq.	-	Public Arbitrator, Presiding Chair
Richard Gordon, Esq.	-	Public Arbitrator
Leo B. Rotter	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

Jeffrey G. Kichaven, Esq.
Chair, Public Arbitrator

Signature Date

Richard Gordon, Esq.
Public Arbitrator

Signature Date



Leo B. Rotter
Non-Public Arbitrator

2-7-04

Signature Date

RECEIVED
FEB 10 2004
NASD
DISPUTE RESOLUTION

Date of Service