

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Kathleen K. Mitchell, Claimant v. Salomon Smith Barney n/k/a Citigroup Global Markets, Inc.,
Respondent

Case Number: 03-05826

Hearing Site: Portland, Oregon

Nature of the Dispute: Customer v. Member

REPRESENTATION OF PARTIES

For Claimant:

Michael Audley, Esq.
Law Office of Audley & Audley
Berkeley, California

For Respondent:

William A. Hohaus, Esq.
Ky Fullerton, Esq.
Citigroup Global Markets, Inc.
New York, New York

CASE INFORMATION

Statement of Claim filed: August 6, 2003

Claimant's Uniform Submission Agreement signed: June 30, 2003

Statement of Answer filed by Respondent: October 27, 2003

Amended Statement of Answer filed by Respondent: November 11, 2003

Respondent's Uniform Submission Agreement signed: October 24, 2003

CASE SUMMARY

In her Statement of Claim, Claimant alleged that on July 17, 2000, Respondent failed to execute an order to sell 50% of Claimant's shares in Copper Mountain Networks. Claimant alleged further, that although Respondent eventually executed the sell order, Respondent sold only 25% of the shares. In addition, Claimant alleged that Respondent failed to execute an order to sell Universal Access stock.

Respondent denied the allegations of wrongdoing as set forth in the Claimant's Statement of Claim.

RELIEF REQUESTED

Claimant requested \$297,300.20 in compensatory damages, interest in the sum of \$84,692.15, costs, and attorney's fees.

Respondent requested dismissal of the Claimant's Statement of Claim in its entirety.

OTHER ISSUES CONSIDERED AND DECIDED

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) Respondent is liable to and shall pay Claimant the sum of \$10,490.00 in compensatory damages.
- 2) Respondent is liable to and shall pay Claimant interest on the sum of \$10,490.00 at the rate of 9% per annum from July 18, 2000 until payment of this award is made in full.
- 3) The parties shall bear their respective costs, including attorney's fees.
- 4) 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
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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 Salomon Smith Barney nka Citigroup Global Markets, 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>	<u>= \$2,750.00</u>
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 or the parties and the Panel. The following fees are assessed:

(1) Pre-hearing conference session with a single arbitrator @ \$ 450.00/session	= \$ 450.00
Pre-hearing conference: January 23, 2004	1 session
(1) Pre-hearing conference session with the Panel @ \$1,125.00/session	= \$1,125.00
Pre-hearing conference: January 9, 2004	1 session
(3) Hearing sessions @ \$1,125.00/session	= \$3,375.00
Hearing: July 14, 2004	3 sessions
Total Forum Fees	= \$ 4,950.00

1. The Panel assessed \$2,475.00 of the forum fees to Claimant.
2. The Panel assessed \$2,475.00 of the forum fees to Respondent.

Fee Summary

1. Claimant, is charged with the following fees and costs:

Initial Filing Fee	= \$ 300.00
<u>Forum Fees</u>	<u>= \$ 2,475.00</u>
Total Fees	= \$ 2,775.00
<u>Less payments</u>	<u>= \$(1,425.00)</u>
Balance Due NASD Dispute Resolution	= \$ 1,350.00

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

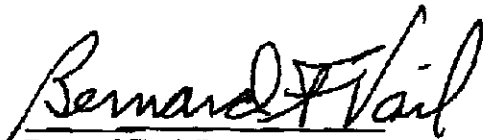
Member Fees	= \$ 5,200.00
<u>Forum Fees</u>	<u>= \$ 2,475.00</u>
Total Fees	= \$ 7,675.00
<u>Less payments</u>	<u>= \$(7,950.00)</u>
Refund Due Respondent	= \$ (275.00)

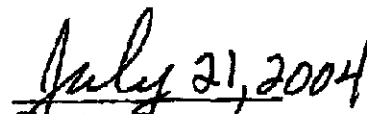
All balances are payable to NASD Dispute Resolution and are due upon the receipt of the Award pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

Bernard F. Vail	-	Public Arbitrator, Presiding Chair
Douglas Martin Crow	-	Public Arbitrator
Joyce L. Tyler	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures


Bernard F. Vail
Chair, Public Arbitrator

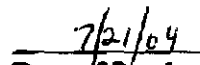

Signature Date

Douglas Martin Crow
Public Arbitrator

Signature Date

Joyce L. Tyler
Non-Public Arbitrator

Signature Date


Date of Service

ARBITRATION PANEL

Bernard F. Vail
Douglas Martin Crow
Joyce L. Tyler

- Public Arbitrator, Presiding Chair
- Public Arbitrator
- Non-Public Arbitrator

Concurring Arbitrators' Signatures

Bernard F. Vail
Chair, Public Arbitrator

Signature Date



Douglas Martin Crow
Public Arbitrator

7-20-04

Signature Date

Joyce L. Tyler
Non-Public Arbitrator

Signature Date

7/21/04

Date of Service

ARBITRATION PANEL

Bernard F. Vail	-	Public Arbitrator, Presiding Chair
Douglas Martin Crow	-	Public Arbitrator
Joyce L. Tyler	-	Non-Public Arbitrator

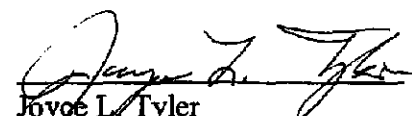
Concurring Arbitrators' Signatures

Bernard F. Vail
Chair, Public Arbitrator

Signature Date

Douglas Martin Crow
Public Arbitrator

Signature Date



Joyce L. Tyler
Non-Public Arbitrator

07-21-04
Signature Date

Date of Service