

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

John James Hava, Claimant v. Citigroup Global Markets, Inc. and Jack B. Grubman, Respondents

Case Number: 03-06534

Hearing Site: Las Vegas, Nevada

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

REPRESENTATION OF PARTIES

For Claimant:

Michael B. Lynch, Esq.
Hooper & Weiss, L.L.C.
Orlando, Florida

For Respondents:

Mark L. Parmelee, Esq.
Greenberg Traurig, LLP
New York, New York

CASE INFORMATION

Statement of Claim filed on or about: September 9, 2003

Amended Statement of Claim filed: July 20, 2004

Claimant's Uniform Submission Agreement signed: February 13, 2003

Joint Statement of Answer to Statement of Claim filed by Respondents: November 10, 2003

Joint Statement of Answer to Amended Statement of Claim filed by Respondents:
August 27, 2004

Respondent Citigroup Global Markets, Inc.'s Uniform Submission Agreement signed:
December 3, 2003

Respondent Jack B. Grubman's Uniform Submission Agreement signed: December 3, 2003

CASE SUMMARY

Claimant alleged omission of material facts and conflicts of interest to Claimant prior to and in connection with Claimant's purchases of WorldCom stock in violation of Section 17(a) of the Securities Exchange Act of 1933, Chapter 90, Section 570 of the Nevada Uniform Securities Act, and violation of NASD Rule 2210(d)(1). Claimant also alleged breach of fiduciary duty and failure to supervise.

Unless specifically admitted in its Statements of Answer to the Initial and Amended Statements of Claim, Respondents denied the allegations made in the Initial and Amended Statements of Claim.

RELIEF REQUESTED

Claimant requested rescissory damages in the amount of \$4,549.46, unspecified punitive damages, interest, and costs, including attorney's fees.

Respondents requested dismissal of the Initial and Amended Statement of Claim in their entirety, and costs, including attorney's fees.

OTHER ISSUES CONSIDERED AND DECIDED

On August 25, 2005, NASD Dispute Resolution received the parties' joint request for this matter to be decided on the pleadings without a hearing.

On September 7, 2005, the Chairperson issued an Order granting the parties' Joint Motion to Decide the Case on the Pleadings and ordered Claimant to file his Brief by October 7, 2005 and Respondents to file a Responsive Brief by November 7, 2005.

The parties agreed that a handwritten, signed Award may be entered.

AWARD

After considering the pleadings, the Arbitrator decided in full and final resolution of the issues submitted for determination as follows:

- 1) Claimant's 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 of Arbitration Procedure* (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	= \$ 50.00
--------------------------	------------

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. is a party and the following fees are assessed:

<u>Member Surcharge</u>	= \$ 200.00
-------------------------	-------------

Total Member Fees	= \$ 200.00
--------------------------	--------------------

Forum Fees and Assessments

The Arbitrator has assessed forum fees for each session conducted. A session is any meeting between the parties and the arbitrator, including a pre-hearing conference with the arbitrator, that lasts four (4) hours or less. Fees associated with these proceedings are:

(1) Pre-hearing conference session with a single arbitrator @ \$125.00/session	= \$ 125.00
Pre-hearing conference: October 29, 2004 1 session	

Fee For Deciding Case on the Papers	= \$ 125.00
-------------------------------------	-------------

Total Forum Fees	= \$ 250.00
-------------------------	--------------------

The Arbitrator assessed \$250.00 of the forum fees to Claimant John James Hava.

Fee Summary

1. Claimant John James Hava is charged with the following fees and costs:

Initial Filing Fee	= \$ 50.00
<u>Forum Fees</u>	<u>= \$ 250.00</u>
Total Fees	= \$ 300.00
<u>Less payments</u>	<u>= \$(175.00)</u>
Balance Due NASD Dispute Resolution	= \$ 125.00

2. Respondent Citigroup Global Markets, Inc. is charged with the following fees and costs:

Member Fees	= \$ 200.00
<u>Less payments</u>	<u>= \$(200.00)</u>
Balance Due NASD Dispute Resolution	= \$ 0.00


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.

ARBITRATOR

Barbara L. Edin

- Public Arbitrator, Presiding Chair

Arbitrator's Signature



Barbara L. Edin
Chair, Public Arbitrator

12/9/05
Signature Date

December 9, 2005
Date of Service