

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-01067

James T. Myung, Claimant v. Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc. and Jack B. Grubman, Respondents

ATTORNEYS:

For Claimant, James T. Myung, ("Claimant"), appeared Marshall P. Richer, Esq. of the firm Finkelstein & Partners, Albany, NY.

For Respondents, Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc. and Jack B. Grubman, (collectively "Respondents"), appeared Bradford D. Kaufman, Esq., of the firm Greenberg Traurig, P.A. West Palm Beach, FL.

NATURE OF DISPUTE: Customer v. Member and Associated Person.

DATE FILED: February 18, 2004.

CASE SUMMARY: Claimant alleged that Respondents omitted to state material facts in connection with the offer and sale of WorldCom stock to Claimant. Claimant maintained that Respondents' breach of fiduciary duty, pervasive omissions, misstatements of material facts and conflict of interest were misleading and in violation of federal and state law. Claimant contends that Respondents' action gave rise to the appearance of impropriety and denied Claimant the ability to fairly assess the quality and integrity of research and "1-Buy" recommendations provided by Respondents in connection with Claimant's purchases of WorldCom stock.

Claim Data

Claim: \$5,307.40
Punitive: \$4,600.00
Interest: Unspecified
Attorney Fees: Unspecified
Filing Fees: \$325.00
Other: Unspecified

Award Data

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

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 Claimant are dismissed in their entirety. 2) All requests for punitive damages are denied. 3) All requests for interest are denied. 4) All request for attorney fees are denied. 5) All other relief requests are denied. 6) NASD Dispute Resolution shall retain the \$325.00 filing fee that the claimant deposited previously.

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 \$325.00 Member Surcharge previously invoiced.

Elaine E. Feldman, Esq. - Sole Non-Public Arbitrator

AFFIRMATION

I, Elaine E. Feldman, Esq., 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.

Elaine E. Feldman
Elaine E. Feldman, Esq.

10/4/04
Signature Date

October 25, 2004
Date of Service (For NASD-DR office use only)