

Stipulated Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Mohan Goel and Ibrahim Khan, Claimants v. Salomon Smith Barney, Inc. n/k/a Citigroup Global Markets, Inc. and John D. Bacich, Respondents

Case Number: 04-02763

Hearing Site: Los Angeles, California

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

REPRESENTATION OF PARTIES

For Claimants:

Douglas A. Ames, Esq.
Law Offices of Douglas A. Ames
Huntington Beach, California

For Respondents:

Michele R. Fron, Esq.
Keesal, Young & Logan
Long Beach, California

CASE INFORMATION

Statement of Claim filed: April 10, 2004

Claimant Mohan Goel's Uniform Submission Agreement signed: March 29, 2004

Claimant Ibrahim Kahn's Uniform Submission Agreement signed: March 28, 2004

Joint Statement of Answer filed by Respondents: June 15, 2004

Respondent Citigroup Global Markets, Inc.'s Uniform Submission Agreement signed: May 18, 2004

Respondent John D. Bacich's Uniform Submission Agreement signed: May 17, 2004

CASE SUMMARY

Claimants alleged breach of contract, breach of fiduciary duty, unsuitability, fraud, misrepresentation and omission of facts, conversion, and failure to supervise. Claimants' allegations involved the purchase of Class B shares in various mutual funds, including but not

limited to Alliance Technology Fund, Alliance Worldwide Privatization Fund, Fidelity Advisor Healthcare Fund, and Van Kampen Emerging Growth Fund.

Respondent denied the allegations of wrongdoing set forth in the Claimants' Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimants requested \$353,949.00 in compensatory damages, \$630,000.00 punitive damages, pre- and post-award interest, and costs, including attorney's fees.

Respondents requested dismissal of the Claimants' Statement of Claim in its entirety, the expungement of all reference to the above captioned arbitration from Respondent John D. Bacich's registration records maintained by the Central Registration Depository, and costs, including attorney's fees

OTHER ISSUES CONSIDERED AND DECIDED

On May 2, 2004, Claimant Ibrahim M. Khan and Claimants' 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 4, 2004, Claimant Mohan Goel 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.

Pursuant to the Code of Arbitration Procedure IM-10100, the waivers of the Claimants shall constitute and operate as a waiver for all member firms and associated persons (including terminated or otherwise inactive member firms or associated persons) against whom the Claim has been filed.

On June 15, 2004, Respondents Citigroup and John D. Bacich filed a Motion to Sever the Claimants' Claims. On July 7, 2004, Claimants Mohan Goel and Ibrahim Khan filed an Opposition to the motion. A pre-hearing conference was held on September 10, 2004 to hear the parties' respective arguments regarding the motion. Attending were Douglas A. Ames, Esq., representing Claimants, Sean D. Muntz, Esq., representing Respondents, and the Panel. After due deliberation, the Panel granted the motion, leaving Claimant Mohan Goel as the sole claimant of this case.

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 and the Parties' request for this Stipulated Award, the Panel decided in full and final resolution of the issues submitted for determination as follows:

1. Claimant Ibrahim Khan's claims were severed from the Statement of Claim by order of the Panel on September 10, 2004.
2. Claimant Mohan Goel and Respondents Citigroup and John D. Bacich have entered into a confidential settlement agreement.
3. Claimant Mohan Goel's claims are dismissed with prejudice.
4. The Panel recommends the expungement of all reference to the above captioned arbitration from Respondent John D. Bacich's registration records maintained by the NASD Central Registration Depository ("CRD"), with the understanding that pursuant to NASD Notice to Members 99-09, Respondent John D. Bacich must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.
5. The parties shall bear their respective costs, including attorney's fees.
6. 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 = \$ 375.00

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:

Member Surcharge	= \$2,250.00
Pre-Hearing Process Fee	= \$ 750.00
<u>Hearing Process Fee</u>	<u>= \$4,000.00</u>
Total Member Fees	= \$7,000.00

Adjournment Fees

The following adjournment fees are assessed:

Adjournment of April 19-22, 2005 hearings dates requested by the parties: Waived

Three-Day Cancellation Fees

Three-day cancellation fees apply when a hearing on the merits is postponed or settled within three business days before the start of the first scheduled hearing session. The following three-day cancellation fees are assessed:

Cancellation of April 19-22, 2005 hearings dates: \$ 300.00

1. The Panel assessed \$ 150.00 of the three-day cancellation fee jointly and severally to Claimant Mohan Goel.
2. The Panel assessed \$ 150.00 of the three-day cancellation fee jointly and severally to Respondents.

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 Panel. The following fees are assessed:

One (1) Pre-hearing conference session with the Panel @ \$1,200.00/session	= \$ 1,200.00
<u>Pre-hearing conference: September 10, 2004 1 session</u>	
Total Forum Fees	= \$ 1,200.00

1. The Panel assessed \$600.00 of the forum fees to Claimant Mohan Goel.
2. The Panel assessed \$600.00 of the forum fees jointly and severally to Respondents Citigroup Global Markets, Inc. and John D. Bacich.

Fee Summary

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

Initial Filing Fee	= \$ 375.00
Three-Day Cancellation Fee	= \$ 150.00
<u>Forum Fees</u>	<u>= \$ 600.00</u>
Total Fees	= \$ 1,125.00
<u>Less payments</u>	<u>= \$(1,575.00)</u>
Refund Due from NASD Dispute Resolution	= \$ (450.00)

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

Member Fees	= \$ 7,000.00
<u>Less payments</u>	<u>= \$(7,000.00)</u>
Balance Due NASD Dispute Resolution	= \$ 0.00

3. Respondents Citigroup Global Markets, Inc. and John D. Bacich are charged jointly and severally with the following fees and costs:

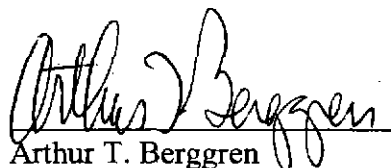
Forum Fees	= \$ 600.00
<u>Three-Day Cancellation Fee</u>	<u>= \$ 150.00</u>
Total Fees	= \$ 750.00
<u>Less payment by Citigroup Global Markets, Inc.</u>	<u>= \$ (300.00)</u>
Balance Due NASD Dispute Resolution	= \$ 450.00

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

Arthur T. Berggren	-	Public Arbitrator, Presiding Chair
Robert B. Hanshon	-	Public Arbitrator
Donald L. Lisle	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures



Arthur T. Berggren
Chair, Public Arbitrator

11/28/05
Signature Date

Robert B. Hanshon
Public Arbitrator

Signature Date

Donald L. Lisle
Non-Public Arbitrator

Signature Date

December 7, 2005
Date of Service


ARBITRATION PANEL

Arthur T. Berggren	-	Public Arbitrator, Presiding Chair
Robert B. Hanshon	-	Public Arbitrator
Donald L. Lisle	-	Non-Public Arbitrator


Concurring Arbitrators' Signatures

Arthur T. Berggren
Chair, Public Arbitrator

Signature Date



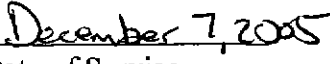
Robert B. Hanshon
Public Arbitrator



Signature Date

Donald L. Lisle
Non-Public Arbitrator

Signature Date



Date of Service

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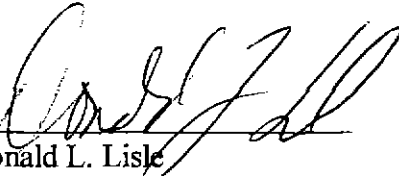
Concurring Arbitrators' Signatures

Arthur T. Berggren
Chair, Public Arbitrator

Signature Date

Robert B. Hanshon
Public Arbitrator

Signature Date



Donald L. Lisle
Non-Public Arbitrator

11/23/05

Signature Date

December 7, 2005

Date of Service