

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION**

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**CASE: 04-03574**

**Gary L. Miller, Claimant vs. Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc. and Jack Grubman, Respondents**

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**ATTORNEYS:**

For Claimant Gary L. Miller ("Claimant") appeared George W. Healy, IV, Esq., of the firm George W. Healy, IV, & Associates. Gulfport, MS.

For Respondents Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc. and Jack Grubman (collectively "Respondents") appeared Ann Parry, Esq., in-house counsel, Citigroup Global Markets, Inc., New York, NY.

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

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**DATE FILED:** May 17, 2004.

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**CASE SUMMARY:** Claimant alleged that the securities purchased in his account were unsuitable to his needs and investment objectives. Claimant further alleged that Respondents were in violation of federal securities laws and state securities laws, breach of contract, breach of fiduciary duty, negligence, committed common law fraud, fraud in the inducement, and that Citigroup Global Markets failed to properly supervise its brokers. Claimant maintained that due to Respondents' actions, his account suffered losses. Claimant's claim involved WorldCom, Inc., AT&T, SBC Communications, Tyco, Broadwing, Inc. Global Crossing Ltd., Ericson, Teligent, Inc., AES Corporation, as well as other various stocks.

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<b>Claim Data</b>	<b>Award Data</b>
Claim: \$16,220.93	Award: \$7,851.00
Punitive: \$8,775.00	Punitive: \$.00
Pre-Judgment Interest: Unspecified	Pre-Judgment: \$.00
Post-Judgment Interest: Unspecified	Post-Judgment: Interest: 10% from 10/15/04 - date of payment of award
Attorney Fees: Unspecified	Attorney Fees: \$.00
Filing Fees: Unspecified	Filing Fees: \$297.50
Other: Unspecified	Other: \$.00

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**AWARD:** The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents are jointly and severally liable and shall pay to the Claimant \$7,851.00. 2) Respondents are jointly and severally liable and shall pay to the Claimant post-judgment interest at the rate of 10% per annum from October 15, 2004 through the date of payment of the award. 3) All requests for punitive damages are denied. 4) All requests for attorney fees are denied. 5) All requests for pre-judgment interest are denied. 6) All other relief requests are denied. 7) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant deposited previously. 8) Respondent Citigroup Global Markets, Inc.

Page Two  
Award 04-03574

f/k/a Salomon Smith Barney, Inc. is liable and shall pay to Claimant \$148.75 as reimbursement of 35% of the filing fee. 8) Respondent Jack Grubman is liable and shall pay to Claimant \$148.75 as reimbursement of 35% of the filing fee.

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**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 \$425.00 Member Surcharge previously invoiced.

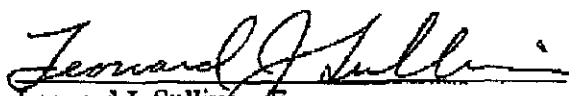
Page Three  
Award 04-03574

Leonard J. Sullivan, Esq.

Sole Public Arbitrator

AFFIRMATION

I, Leonard J. Sullivan, 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.

  
Leonard J. Sullivan, Esq.

10/5/04  
Signature Date

October 14, 2004  
Date of Service (For NASD-DR office use only)