

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Eleanor Hilowitz (Claimant) vs. Salomon Smith Barney, Inc, n/k/a Citigroup Global Markets, Inc. and David Williams Securities (Respondents)

Case Number: 04-04143

Hearing Site: New York, New York

Nature of the Dispute: Customer vs. Members

REPRESENTATION OF PARTIES

Claimant Eleanor Hilowitz hereinafter referred to as "Claimant": Seth E. Lipner, Esq., Deutsch & Lipner, Garden City, NY.

Respondent Salomon Smith Barney, Inc., n/k/a Citigroup Global Markets, Inc., hereinafter referred to as "Smith Barney": David A. Stein, Esq., Luboja & Thau, LLP, New York, NY.

Respondent David Williams Securities hereinafter referred to as "David Williams": Marc S. Gottlieb, Esq., New York, NY.

CASE INFORMATION

Statement of Claim filed on or about: June 7, 2004.
Claimant signed the Uniform Submission Agreement.

Statement of Answer filed by Respondent Smith Barney on or about: March 11, 2005.
Respondent Smith Barney did not submit a Uniform Submission Agreement.

Statement of Answer and Motion to Dismiss filed by Respondent David Williams on or about: October 21, 2004.
Respondent David Williams signed the Uniform Submission Agreement.

CASE SUMMARY

Claimant asserted the following causes of action: unauthorized trades, negligence, unsuitability and breach of fiduciary duty. The causes of action relate to technology stocks.

Unless specifically admitted in its Answer, Smith Barney denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

Unless specifically admitted in its Answer, David Williams denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$1,000,000.00 from Smith Barney and an amount not to exceed \$200,000.00 from David Williams, together with such other and further relief as the Panel deems just and proper.

Smith Barney requested dismissal of the Statement of Claim in its entirety.

David Williams requested dismissal of the Statement of Claim, reasonable attorneys' fees, filing fees and surcharges, as well as all other costs associated with the defense of this matter.

OTHER ISSUES CONSIDERED AND DECIDED

Respondent Salomon Smith Barney, Inc. did not file with NASD Dispute Resolution a properly executed Uniform Submission Agreement but is required to submit to arbitration pursuant to the Code and, having answered the claim, is bound by the determination of the Panel on all issues submitted.

The parties have 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, the testimony and evidence presented at the hearing, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Claimant's claims are denied in their entirety.
2. Any and all relief not specifically addressed herein is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee	= \$ 500.00
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Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the event giving

rise to the dispute. Accordingly, Salomon Smith Barney, Inc. and David Williams Securities are parties.

Salomon Smith Barney, Inc.

Member surcharge	= \$ 2,250.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$ 4,000.00

David Williams Securities

Member surcharge	= \$ 1,700.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$ 2,750.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

August 9 – 11, 2005, adjournment by Claimant	= Waived
June 1 – 2, 2006, adjournment by Smith Barney and David Williams	= \$ 1,200.00

Forum Fees and Assessments

The Panel has assessed forum fees for each session conducted or each decision rendered on a discovery-related motion on the papers. A session is any meeting between the parties and the arbitrators including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

Three (3) Pre-hearing sessions with Panel @ \$1,200.00/session	= \$ 3,600.00
Pre-hearing conferences:	
November 19, 2004	1 session
September 21, 2005	1 session
October 3, 2005	1 session
Fifteen (15) Hearing sessions with Panel @ \$1,200.00/session	= \$18,000.00
Hearing Dates:	
March 6, 2006	2 sessions
March 7, 2006	2 sessions
March 8, 2006	2 sessions
April 6, 2006	2 sessions
April 7, 2006	2 sessions
May 30, 2006	2 sessions
September 6, 2006	2 sessions
September 8, 2006	1 session
Total Forum Fees	= \$21,600.00

1. The Panel has assessed \$7,200.00 of the forum fees to Claimant.
2. The Panel has assessed \$7,200.00 of the forum fees to Smith Barney.
3. The Panel has assessed \$7,200.00 of the forum fees to David Williams.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

1. Smith Barney - requested copies of audio tapes = \$ 165.00

FEE SUMMARY

1. Claimant is solely liable for:

Initial Filing Fee	= \$ 500.00
Forum Fees	= \$ 7,200.00
Total Fees	= \$ 7,700.00
Less payments	= \$ 1,700.00
Balance Due NASD Dispute Resolution	= \$ 6,000.00

2. Respondent Salomon Smith Barney, Inc. is solely liable for:

Member Fees	= \$ 7,000.00
Administrative Costs	= \$ 165.00
Forum Fees	= \$ 7,200.00
Total Fees	= \$ 14,365.00
Less payments	= \$ 7,165.00
Balance Due NASD Dispute Resolution	= \$ 7,200.00

3. Respondent David Williams Securities is solely liable for:

Member Fees	= \$ 5,200.00
Forum Fees	= \$ 7,200.00
Total Fees	= \$ 12,400.00
Less payments	= \$ 5,200.00
Balance Due NASD Dispute Resolution	= \$ 7,200.00

4. Respondents Smith Barney and David Williams are solely liable for:

Adjournment Fees	= \$ 1,200.00
Total Fees	= \$ 1,200.00
Less payments	= \$ 1,200.00
Balance Due NASD Dispute Resolution	= \$ 0.00

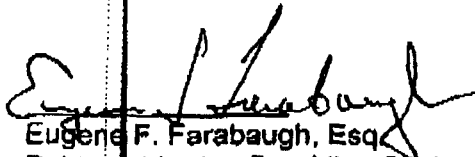
All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

Eugene F. Farabaugh, Esq.	-	Public Arbitrator, Presiding Chairperson
Morton S. Bunis, Esq.	-	Public Arbitrator
Scott M. Pellegrino	-	Non-Public Arbitrator

I, the undersigned Arbitrator, do hereby affirm, pursuant to Article 7507 of the Civil Practice Law and Rules, that I am the individual described herein and who executed this instrument, which is my award.

Concurring Arbitrators' Signatures


Eugene F. Farabaugh, Esq.
Public Arbitrator, Presiding Chairperson

9/15/06
Signature Date

Morton S. Bunis
Public Arbitrator

Signature Date

Scott M. Pellegrino
Non-Public Arbitrator

Signature Date

September 22, 2006
Date of Service (For NASD Dispute Resolution use only)

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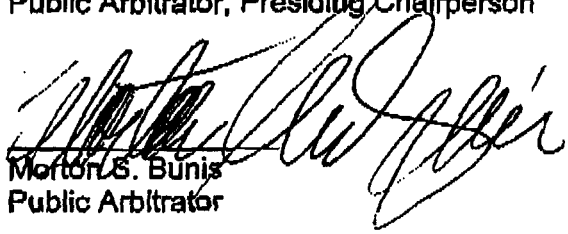
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Public Arbitrator, Presiding Chairperson

Signature Date


Morton S. Bunis
Public Arbitrator

9-19-06
Signature Date

Scott M. Pellegrino
Non-Public Arbitrator

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Public Arbitrator

Signature Date

Scott M. Pellegrino
Non-Public Arbitrator

9/18/06
Signature Date

September 22, 2006

Date of Service (For NASD Dispute Resolution use only)