

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

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CASE: 04-05248

Robert A. Bateh and Angela F. Bateh, Claimants v. Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc., and Jack B. Grubman, Respondents

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**ATTORNEYS:**

For Claimants, Robert A. Bateh and Angela F. Bateh, ("Claimants"), appeared Richard J. Lantinberg, of the firm Farah, Farah & Abbot, P.A., Jacksonville, FL.

For Respondents, Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc. and Jack B. Grubman, ("Respondents"), appeared Mark L. Parmelee, Esq., of the firm Greenberg Traurig, LLP, New York, NY.

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

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**DATE FILED:** July 22, 2004.

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**CASE SUMMARY:** Claimants alleged that Respondents violated each of the following: Section 17(a) of the Securities Act of 1933, NASD Rule 2210(d)(1), and the New York Stock Exchange Rule 202.02. Claimants additionally alleged that Respondents breached their fiduciary duty, and omitted to state material facts in connection with the offer and sale of WorldCom and Williams Communications Group, Inc. stocks. Claimants further alleged that Respondent Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc. is liable for the unlawful and negligent acts of its representative, Respondent Jack B. Grubman, under the doctrine of respondeat superior. Claimants maintained that due to Respondents' actions, their account suffered financial losses.

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**Claim Data**

Claim: \$12,267.44

Punitive: \$10,000

Interest: Unspecified

Attorney Fees: Unspecified

Filing Fees: Unspecified

Other: Unspecified

**Award Data**

Award: \$.00

Punitive: \$.00

Interest: \$.00

Attorney Fees: \$.00

Filing Fees: \$106.25

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) The claims of Claimants are dismissed in their entirety. 2) All requests for punitive damages are denied. 3) All requests for interest are denied. 4) All requests for attorney fees are denied. 5) All other relief requests are denied. 6) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimants deposited previously. 7) Respondents Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc. is liable and shall pay Claimants \$106.25 as reimbursement of one-fourth 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.


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**ARBITRATOR**

Diane Ciccone, Esq. - Sole Public Arbitrator

**AFFIRMATION**

I, Diane Ciccone, 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.

  
Diane Ciccone, Esq.

12-30-04  
Signature Date

January 11, 2005  
Date of Service (For NASD-DR office use only)