

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

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CASE: 04-05448

Robert S. Pearson, TTEE and Robert S. Pearson, Individually, Claimant v. Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc., and Jack B. Grubman, Respondents.

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**ATTORNEYS:**

For Claimant, Robert S. Pearson, TTEE and Robert S. Pearson, Individually, ("Claimant"), appeared Richard L. Lantinberg, Esq. of the firm Cooper, Ridge & Lantinberg, Jacksonville, FL.

For Respondents, Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc., and Jack B. Grubman, (collectively "Respondents"), appeared Stephen L. Saxl, 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 28, 2004.

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**CASE SUMMARY:** Claimant alleged that Respondents violated each of the following: Section 17(a) of the Securities Act of 1933, Chapter 517.301 of the Florida Securities and Investor Protection Act, NASD Rule 2210(d)(1), and the New York Stock Exchange Rule 202.02. Claimant additionally alleged that Respondents breached their fiduciary duty, and omitted to state material facts in connection with the offer and sale of WorldCom stock. Claimant 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. Claimant maintained that due to Respondents' actions, his account suffered financial losses.

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**Claim Data**

Claim: \$25,000.00

Interest: Unspecified

Attorney Fees: Unspecified

Filing Fees: Unspecified

Other: Unspecified

**Award Data**

Award: \$25,000.00

Interest: \$.00

Attorney Fees: \$.00

Filing Fees: \$425.00

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) Respondent Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc., is liable and shall pay to the Claimant \$12,500.00. 2) Respondent Jack B. Grubman is liable and shall pay to the Claimant \$12,500.00. 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 Claimant deposited previously. 7) Respondents are jointly and severally liable and shall pay Claimant \$425.00 as reimbursement 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.

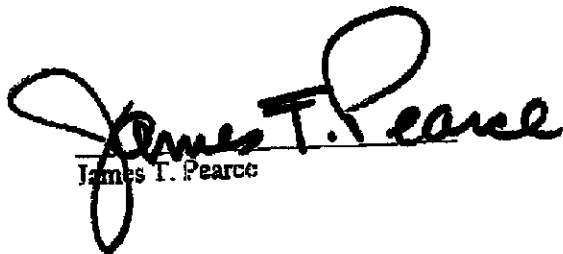
Page Two  
Award 04-05448

**ARBITRATOR**

James T. Pearce - Sole Public Arbitrator

**AFFIRMATION**

I, James T. Pearce, 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.

  
James T. Pearce

  
Signature Date

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