

**AWARD
NASD DISPUTE RESOLUTION**

In the Matter of the Arbitration Between:

Claimant Citigroup Global Markets, Inc. vs. David Bradley Brooks

Case Number: 04-06334

SITUS: Raleigh, North Carolina

NATURE OF DISPUTE: Member v. Associated Person

REPRESENTATION OF PARTIES:

Claimant Citigroup Global Markets, Inc., hereinafter referred to as "Claimant", was represented by William O. L. Hutchinson, Esq., Kennedy Covington Lobdell & Hickman, LLP, Charlotte, North Carolina.

Respondent David Bradley Brooks, hereinafter referred to as "Respondent," did not enter an appearance in this matter.

DATE FILED: September 3, 2004.

CASE SUMMARY: Claimant alleged Respondent breached a contract he entered into with Claimant relating to a promissory note between Claimant and Respondent.

Claimant requested compensatory damages in the amount of \$80,955.00, interest, attorneys' fees and costs.

OTHER ISSUES: By Motion for Default dated July 26, 2005, Claimant opted to proceed against Respondent pursuant to Rule 10314(e) of the *NASD Code of Arbitration Procedure* ("Code"). The arbitrator determined that Respondent was properly served notice of the Statement of Claim and Notification of the Arbitrator, and that Respondent is required to submit to arbitration pursuant to the Code and is bound by the determination of the arbitrator on all issues submitted.

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is liable to and shall pay to Claimant compensatory damages in the amount of \$80,955.00, plus simple interest at 6%. Interest shall accrue from September 10, 2004 through the date the Award is paid in full; 2) Respondent is liable to and shall pay to Claimant \$1,000.00 in reimbursement for the initial claim filing fee; and 3) All other relief requests are denied.

FEES:

Filing Fees

The \$1,000.00 filing fee previously deposited with NASD Dispute Resolution by Claimant shall be retained by NASD Dispute Resolution.

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. Accordingly, Claimant is a party.

Member surcharge	= \$1,100.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$1,700.00

Forum Fees

The arbitrator assessed all forum fees in the amount of \$1,050.00 against Respondent.

ARBITRATOR:

Gordon F. Linke

Sole Non-Public Arbitrator

Gordon F. Linke

(Signature Date)

Date of Service (For NASD Dispute Resolution office use only)

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Member fees are assessed to each member firm that is a party in these proceedings or to the member firm(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. Accordingly, Claimant is a party.

Member surcharge	- \$1,100.00
Pre-hearing process fee	- \$ 750.00
Hearing process fee	- \$1,700.00

Forum Fees

The arbitrator assessed all forum fees in the amount of \$1,050.00 against Respondent.

ARBITRATOR:

Gordon F. Linke

Sole Non-Public Arbitrator


Gordon F. Linke

8/16/05
(Signature Date)

August 16, 2005
Date of Service (For NASD Dispute Resolution office use only)