

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-06544

Steven K. and Yasemin S. Miller, Claimants v. Citigroup Global Markets, Inc. f/k/a Salomon Smith Barney, Inc., Respondent

ATTORNEYS:

For Claimants Steven K. and Yasemin S. Miller (collectively "Claimants") appeared Jan Graham, Esq., of the firm Jan Graham Law Offices, Salt Lake City, UT.

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

NATURE OF DISPUTE: Customer vs. Member.

DATE FILED: September 14, 2004.

CASE SUMMARY: Claimants alleged that Respondent intentionally and recklessly failed to disclose material facts in connection with the offer and sale of WorldCom stock. Claimants further alleged that Respondent's conduct is a violation of the Anti-Fraud Provision of the Utah Securities Act; breach of fiduciary duty; and unsuitability *per se*. Claimants' claim involved shares of WorldCom stock.

Claim Data

Claim: \$22,694.97
Pre-judgment Interest: \$4,186.92
Post-judgment Interest: Unspecified
Attorney Fees: Unspecified
Filing Fees: \$425.00
Costs: \$250.00
Other: Unspecified

Award Data

Award: \$1,853.00
Pre-judgment Interest: 12% fr.
5/14/01 – date award is paid.
Post-judgment Interest: \$0.00
Attorney Fees: \$741.00
Filing Fees: \$425.00
Costs: \$0.00
Other: \$0.00

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 for and shall pay Claimants \$1,853.00. 2) Respondent is liable for and shall pay Claimants pre-judgment interest at the rate of 12% per annum from May 14, 2001 through the date of payment of the award. 3) All requests for post-judgment interest are denied. 4) Respondent is liable for and shall pay to the Claimants attorney fees in the amount of \$741.00, pursuant to Utah Statutes 61-1-22 (1) (a). 5) All other relief requests are denied. 6) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimants deposited previously. 6) Respondent is liable and shall pay Claimants \$425.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

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ARBITRATOR

John G. Manley, Esq. - Sole Public Arbitrator

AFFIRMATION

I, John G. Manley, 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.


John G. Manley, Esq.

4/8/05
Signature Date

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