

**Award
NASD Dispute Resolution**

In the Matter of the Arbitration Between:

Names of the Claimants

Ruth Teresa Tyson
William Tyson & Ann Marie Tyson, JTWROS

Case Number: 04-07976

Names of the Respondents

Citigroup Global Markets, Inc.
Jack B. Grubman

Hearing Site: Raleigh, North Carolina

Nature of the Dispute: Customers vs. Member and Associated Person.

REPRESENTATION OF PARTIES

Claimants, Ruth Teresa Tyson and William Tyson & Ann Marie Tyson, JTWROS, hereinafter collectively referred to as "Claimants", were represented by Michael B. Lynch, Esq., Hooper & Weiss, LLC, Orlando, Florida.

Respondents, Citigroup Global Markets, Inc. ("Citigroup"), and Jack B. Grubman ("Grubman"), hereinafter collectively referred to as "Respondents", were represented by Mark L. Parmlee, Esq., Greenberg Traurig, LLP, New York, New York.

CASE INFORMATION

Statement of Claim filed on November 17, 2004.

Claimants signed the Uniform Submission Agreement on August 16, 2004.

Statement of Answer filed by Respondents on February 28, 2005.

A representative of Respondent Citigroup signed the Uniform Submission Agreement on March 14, 2005.

Respondent Grubman signed the Uniform Submission Agreement on February 2, 2005.

CASE SUMMARY

In the Statement of Claim, Claimants asserted the following causes of action, among others: violation of section 17(a) of the Securities and Exchange Act of 1933, violation of chapter 78A of the North Carolina Securities Act, violation of NASD Rule 2210 (d) (1), breach of fiduciary duty, and *respondeat superior*. The causes of action relate to the purchase and sale of WorldCom stock.

Unless specifically admitted in their Statement of Answer, Respondents denied the allegations made in the Statement of Claim and asserted the following defenses, among others: failure to state a claim upon which relief may be granted; Claimants' claims are barred by the doctrines of estoppel, ratification, laches, and waiver; authorization; failure to exercise due diligence; contributory negligence; assumption of the risk; failure to mitigate damages; and the Claimants

have failed to allege fraud with requisite particularity.

RELIEF REQUESTED

Claimant in the Statement of Claim requested:

Compensatory Damages	\$ 2,588.83
Punitive Damages	amount unspecified
Attorneys' Fees	amount unspecified
Interest	amount unspecified
Other Costs	amount unspecified

Respondents in their Statement of Answer requested that Claimant's claims be denied in its entirety and dismissed with prejudice, and that costs and attorneys' fees be assessed against Claimant.

OTHER ISSUES CONSIDERED AND DECIDED

The parties in this matter agreed to a decision based on the papers submitted without a hearing on the merits.

The parties 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, and all responses and replies thereto, the Arbitrator 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. The parties shall bear their respective costs, except as Fees are specifically addressed below;
and
3. Any and all relief not specifically addressed herein, including punitive damages, is denied in its entirety.

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	= \$ 50.00
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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 events giving rise to the dispute. Accordingly, Respondent Citigroup is a party.

Member surcharge	= \$	200.00
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Forum Fees and Assessments

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

Decision based on the papers with single arbitrator @ \$ 125.00	= \$	125.00
One (1) Pre-hearing session with single arbitrator @ \$125.00	= \$	125.00
Pre-hearing conference: August 15, 2005 1 session		
Total Forum Fees	= \$	250.00

1. The Panel has assessed \$ 125.00 of the forum fees jointly and severally to Claimants.
2. The Panel has assessed \$ 125.00 of the forum fees jointly and severally to Respondents.

Fee Summary

1. Claimants are jointly and severally assessed and shall pay:		
Initial Filing Fee	= \$	50.00
<u>Forum Fees</u>	= \$	125.00
Total Fees	= \$	175.00
Less payments	= \$	175.00
Balance Due NASD Dispute Resolution	= \$	0.00
2. Respondent Citigroup is assessed and shall pay:		
Member Fees	= \$	200.00
Total Fees	= \$	200.00
Less payments	= \$	200.00
Balance Due NASD Dispute Resolution	= \$	0.00
3. Respondents are jointly and severally assessed and shall pay:		
<u>Forum Fees</u>	= \$	125.00
Total Fees	= \$	125.00
Less payments	= \$	0.00
Balance Due NASD Dispute Resolution	= \$	125.00

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

ARBITRATOR

Robert P. Porter

Public Arbitrator, Presiding

Arbitrator's Signature



Robert P. Porter
Public Arbitrator, Presiding

22 OCTOBER 2005
Signature Date

October 25, 2005

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