

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Charles W. and Ruth M. Scott (Claimants) vs. Salomon Smith Barney d/b/a Citigroup Global Markets, Inc., and Alan Paul Weilacher (Respondents)

Case Number:04-08351

Hearing Site: Cleveland, Ohio.

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

REPRESENTATION OF PARTIES

Claimant Charles W. Scott ("C. Scott") and Ruth M. Scott ("R. Scott") hereinafter collectively referred to as "Claimants": Brian P. Biggins, Esq., Brian P. Biggins & Associates Company L.P.A. Rocky River, OH.

Respondents Salomon Smith Barney d/b/a Citigroup Global Markets, Inc. ("Citigroup") and Alan Paul Weilacher ("Weilacher") hereinafter collectively referred to as "Respondents": Scott C. Matasar, Esq., Calfee, Halter & Griswold, LLP, Cleveland, OH. Previously represented by Alejandro Schwed, Esq., Citigroup Global Markets, Inc. New York, NY.

CASE INFORMATION

Statement of Claim filed on or about: December 1, 2004.
Claimants signed the Uniform Submission Agreement.

Joint Statement of Answer filed by Respondents on or about: January 28, 2005.
Citigroup signed the Uniform Submission Agreement: January 28, 2005.
Weilacher signed the Uniform Submission Agreement: February 8, 2005.

CASE SUMMARY

Claimants asserted the following causes of action: breach of contract, breach of fiduciary duty, misrepresentations, fraud, negligence and negligent supervision, and omission of fact under the Ohio common law, violations of the Securities Exchange Act 1934, New York Stock Exchange Rules and NASD Conduct Rules. The causes of action relate to mutual funds and common stocks.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimants requested compensatory damages in the amount of \$285,925.00, punitive damages, lost opportunity damages, disgorgement for fees, profits, and commissions, costs including expert fees, forum fees and reasonable attorneys' fees, and such other and further relief as may be deemed just, proper and equitable.

Respondents requested that Claimants' claim be dismissed, and all costs assessed against the Claimants.

OTHER ISSUES CONSIDERED AND DECIDED

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, the testimony and evidence presented at the hearing, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Respondent Citigroup is liable for and shall pay to Claimants compensatory damages in the amount of \$48,200.00.
2. Any and all relief not specifically addressed herein, including punitive damages, is denied.

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	= \$ 300.00
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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, Salomon Smith Barney d/b/a Citigroup Global Markets is a party.

Member surcharge	= \$ 1,700.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$ 2,750.00
Total Member fees	= \$ 5,200.00

Forum Fees and Assessments

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

One (1) Pre-hearing session with Panel @ \$1,125.00	= \$ 1,125.00
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Pre-hearing conference:	April 6, 2005	1 session	
Six (6) Hearing sessions @ \$1,125.00			= \$ 6,750.00
Hearing Dates:	December 6, 2005	2 sessions	
	December 7, 2005	2 sessions	
	December 8, 2005	2 sessions	
Total Forum Fees			= \$ 7,875.00

1. The Panel has assessed \$7,875.00 of the forum fees jointly and severally to Respondents.

Fee Summary

1. Claimants are solely liable for:	
Initial Filing Fee	= \$ 300.00
Total Fees	= \$ 300.00
Less payments	= \$ 1,425.00
Refund Due to Claimants	= \$ 1,125.00
2. Respondent is solely liable for:	
Member Fees	= \$ 5,200.00
Total Fees	= \$ 5,200.00
Less payments	= \$ 5,200.00
Balance Due NASD Dispute Resolution	= \$ 0.00
3. Respondents are jointly and severally liable for:	
Forum Fees	= \$ 7,875.00
Total Fees	= \$ 7,875.00
Less payments	= \$ 3,500.00
Balance Due NASD Dispute Resolution	= \$ 4,375.00

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

ARBITRATION PANEL

Harlita H. Robinson, CPA
John T. Meredith
Jay S. Ferrier

- Public Arbitrator, Presiding Chairperson
- Public Arbitrator
- Non-Public Arbitrator

Concurring Arbitrators' Signatures



Harlita H. Robinson, CPA
Public Arbitrator, Presiding Chairperson

12/27/05

Signature Date

John T. Meredith
Public Arbitrator

Signature Date

Jay S. Ferrier
Non-Public Arbitrator

Signature Date

December 28, 2005

Date of Service (For NASD Dispute Resolution use only)

ARBITRATION PANEL


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John T. Meredith
Jay S. Ferrier

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- Public Arbitrator
- Non-Public Arbitrator

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Public Arbitrator, Presiding Chairperson

Signature Date



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Public Arbitrator

12/27/2005
Signature Date

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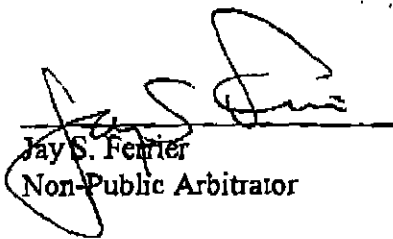
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Public Arbitrator, Presiding Chairperson

Signature Date

John T. Meredith
Public Arbitrator

Signature Date



Jay S. Ferrier
Non-Public Arbitrator

12/23/05

Signature Date

December 28, 2005
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