

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

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CASE: 05-00588

Joseph J. Zulka, (Claimant) vs. Citigroup Global Markets, Inc., (Respondent)

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**ATTORNEYS:**

For Claimant appeared Jan Graham, Esq., of the firm Jan Graham Law Offices, Salt Lake City, UT.

For Respondent appeared in-house counsel Rebecca J. Behr, Esq., New York, NY.

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**NATURE OF DISPUTE:** Customer vs. Member

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**DATE FILED:** January 31, 2005

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**CASE SUMMARY:** Claimant alleged that Respondent intentionally and recklessly failed to disclose material facts regarding the sale of WorldCom Stock. Claimant further alleged that Respondent placed him in investments, which were unsuitable for his investment goals, fraud, violation of securities laws, and breach of fiduciary duty. Claimant maintained that due to Respondent's actions, he suffered financial losses. Claimant's claim involved WorldCom Stock.

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| <b>Claim Data</b>                 | <b>Award Data</b>   |
|-----------------------------------|---|
| Claim: \$9,019.48                 | Award: \$9,019.48   |
| Punitive: \$15,000.00             | Punitive: \$.00   |
| Interest: \$3,517.60              | Interest: 6% per annum from date of purchase to date of payment of award. |
| Attorney Fees: 40% of total award | Attorney Fees: \$3,608.00   |
| Filing Fees: \$425.00             | Filing Fees: \$425.00   |
| Other: Unspecified                | 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 is liable and shall pay to the Claimant \$9,019.48. 2) Respondent is liable and shall pay Claimant attorney fees in the amount of \$3,608.00 based upon the attorney client agreement. 3) All requests for punitive damages are denied. 4) Respondent is liable and shall pay Claimant interest at the rate of 6% per annum from the date of purchase until the date of payment of award. 5) All other relief requests are denied. 6) NASD Dispute Resolution shall retain the \$425.00 filing fee that the claimant deposited previously. 7) Respondent is 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 has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

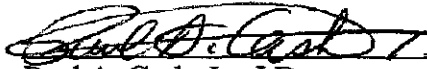
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Paul A. Cash, Jr., J.D.

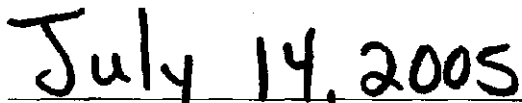
Sole Public Arbitrator

AFFIRMATION

I, Paul A. Cash, Jr., J.D., 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.

  
Paul A. Cash, Jr., J.D.

  
(Signature Date)

  
Date of Service (For NASD-DR office use only)