

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-01449

Ernest F. White, (Claimant) vs. Citigroup Global Markets, Inc., Jeffrey L. Sweitzer, Matthew J. Muller, Sr. and Randy Matz, (Respondents)

ATTORNEYS:

For Claimant appeared Robert G. McIver, Esq., of the firm Hunter, Higgins, Miles, Elam & Benjamin, PLLC, Greensboro, NC.

For Respondents appeared Meg G. Cox, Esq., of the firm Kennedy Covington Lobdell & Hickman, L.L.P., Charlotte, NC

NATURE OF DISPUTE: Customer v. Member and Associated Persons

DATE FILED: March 16, 2005

CASE SUMMARY: Claimant alleged that Respondents placed him in investments that were unsuitable for his needs. Claimant alleged fraud, violation of state and federal securities laws, negligent supervision, breach of fiduciary duty, negligence, negligent misrepresentation, breach of contract, aggravated breach of contract, unfair and deceptive practices and violation of the North Carolina Investment Advisors Act. Claimant maintained that due to Respondents' actions, he suffered financial losses. Claimant's claim involved various common stocks and mutual funds.

Claim Data

Claim: \$25,000.00
Interest: Unspecified
Attorney Fees: Unspecified
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$.00
Interest: \$.00
Attorney Fees: \$.00
Filing Fees: \$212.50
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The claims of the Claimant are dismissed in their entirety. 2) All requests for attorneys' fees are denied. 3) All requests for interest are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$425.00 filing fee that the Claimant deposited previously. 6) Respondents are jointly and severally liable and shall pay Claimant \$212.50 as reimbursement of one half of the filing fee.

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

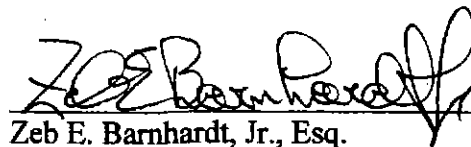
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Zeb E. Barnhardt, Jr., Esq.

Sole Public Arbitrator

AFFIRMATION

I, Zeb E. Barnhardt, Jr., 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.


Zeb E. Barnhardt, Jr., Esq.

Dec. 12, 2005
(Signature Date)

DECEMBER 19, 2005
Date of Service (For NASD-DR office use only)