

**Award
NASD Dispute Resolution**

In the Matter of the Arbitration Between:

Maurice Sanchez, Claimant v. Citigroup Global Markets, Inc. and Jeremy J. Martinez
and the Estate of Carl D. Weiner, Respondents

Case Number: 05-04826

Hearing Site: Albuquerque, New Mexico

Nature of the Dispute: Customer v. Member and Associated Persons

REPRESENTATION OF PARTIES

For Claimant:

Paul Melendres, Esq.
Melendres & Melendres
Albuquerque, New Mexico

For Respondents Citigroup Global Markets, Inc.:
and Jeremy Martinez

Alejandro Schwed, Esq.
Citigroup Global Markets
New York, New York

For Respondent Estate of Carl D. Weiner:

Estate of Carl D. Weiner
Albuquerque, New Mexico

CASE INFORMATION

Statement of Claim filed: September 13, 2005

Claimant's Uniform Submission Agreement signed: September 8, 2005

Joint Statement of Answer filed by Respondents Citigroup Global Market and Jeremy J. Martinez: November 7, 2005

Amended Statement of Answer filed by Respondents Citigroup Global Market and Jeremy J. Martinez: April 10, 2006

Respondent Citigroup Global Market's Uniform Submission Agreement signed:
November 7, 2005

Respondent Jeremy J. Martinez' Uniform Submission Agreement signed: November 7, 2005

CASE SUMMARY

Claimant alleged fraud and deceit by active concealment and misrepresentation, negligent misrepresentation, negligence, breach of contract, breach of fiduciary duty, negligent supervision, harassment and assault, and violation of NASD Rules 2201-1, 2120, 2310-2, 2310(a) and (b) and 2440. Claimant's allegations involved investments in Equitable Life Assurance Equitable Accumulator Plus Annuity, Pimco Class C shares and in unspecified securities.

Respondents denied the allegations of wrongdoing set forth in the Claimant's Statement of Claim.

RELIEF REQUESTED

Claimant requested compensatory damages in the sum of \$500,000.00, punitive damages in the sum of \$2,500,000.00, pre- and post-judgment interest, and costs, including attorney's fees.

Respondents requested dismissal of the Claimant's Statement of Claim in its entirety, and costs, including attorney's fees.

OTHER ISSUES CONSIDERED AND DECIDED

On or about September 28, 2005, Claimant dismissed all claims against Respondent The Estate of Carl D. Weiner.

On or about March 17, 2006, Respondent filed a Motion to Amend the Statement of Answer. On or about April 10, 2006, the Panel granted the motion.

The parties agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

FINDINGS AND CONCLUSIONS

The Panel finds for the Claimant and against Respondent Citigroup Global Markets, Inc. on the Fifth Cause of Action for breach of contract, the seventh Cause of Action for negligent supervision, and on the Ninth Cause of Action for violation of NASD Rule 2310 (a) and (b). The Panel finds that Respondent Citigroup Global Markets, Inc. failed to properly supervise Respondent Jeremy J. Martinez.

AWARD

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

- 1) Respondent Citigroup Global Market, Inc. is liable to and shall pay to Claimant the sum of \$150,000.00 in compensatory damages.
- 2) Claimant's claims against Respondent Jeremy J. Martinez are dismissed in their entirety.
- 3) The parties shall bear their respective costs, including attorney's fees.
- 4) All other relief requested, including punitive damages, and not expressly granted is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution received or will collect the non-refundable filing fees for each claim as follows:

Initial claim filing fee	= \$ 500.00
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Member Fees

Member fees are assessed to each member firm that is either a party in the matter or an employer of a respondent associated person at the time of the events that gave rise to the dispute, claim, or controversy. Accordingly, the member firm Citigroup Global Market, Inc. is a party and the following fees are assessed:

Member Surcharge	= \$ 2,800.00
Pre-Hearing Process Fee	= \$ 750.00
Hearing Process Fee	= \$ 5,000.00
Total Member Fees	= \$ 8,550.00

Adjournment Fees

The following adjournment fees are assessed:

July 25-28, 2006 adjournment requested by Respondents	Waived
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Forum Fees and Assessments

The Panel 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 arbitrator(s), including a pre-hearing conference with the arbitrator(s), that last four (4) hours or less. Fees associated with these proceedings are:

(1) Pre-hearing conference session with the Panel @ \$1,200.00/session = \$1,200.00
Pre-hearing conference: January 13, 2006 1 session

(7) Hearing sessions @ \$1,200.00/session = \$8,400.00
Hearings: October 17, 2006 2 sessions
October 18, 2006 2 sessions
October 19, 2006 2 sessions
October 20, 2006 1 session

Total Forum Fees = \$9,600.00

1. The Panel assessed \$4,800.00 of the forum fees to Respondent Citigroup Global Markets, Inc.
2. The Panel assessed \$4,800.00 of the forum fees Claimant.

Fee Summary

1. Claimant is charged with the following fees and costs:

Initial Filing Fee	= \$ 500.00
Forum Fees	= \$ 4,800.00
Total Fees	= \$ 5,300.00
Less payments	= \$(1,700.00)
Balance Due NASD Dispute Resolution	= \$ 3,600.00

2. Respondent, Citigroup Global Markets, Inc., is charged with the following fees and costs:

Member Fees	= \$ 8,550.00
Forum Fees	= \$ 4,800.00
Total Fees	= \$13,350.00
Less payments	= \$(8,550.00)
Balance Due NASD Dispute Resolution	= \$ 4,800.00

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

Total Fees	= \$13,350.00
Less payments	=
<u>\$(8,550.00)</u>	
Balance Due NASD Dispute Resolution	= \$ 4,800.00

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

ARBITRATION PANEL

Paul A. Cash, Jr., J.D.	-	Public Arbitrator, Presiding Chair
Theodore Parnall	-	Public Arbitrator
Paul J. Robinson	-	Non-Public Arbitrator

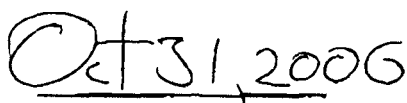
Concurring Arbitrators' Signatures

Paul A. Cash, Jr., J.D.
Chair, Public Arbitrator

Signature Date



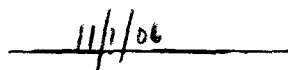
Theodore Parnall
Public Arbitrator



Signature Date

Paul J. Robinson
Non-Public Arbitrator

Signature Date



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Concurring Arbitrators' Signatures

Paul A. Cash, Jr., J.D.
Chair, Public Arbitrator

Signature Date

Theodore Parnall
Public Arbitrator

Signature Date



Paul J. Robinson
Non-Public Arbitrator


11/1/2006
Signature Date

11/1/06

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Theodore Parnall	-	Public Arbitrator
Paul J. Robinson	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures


Paul A. Cash, Jr., J.D.
Chair, Public Arbitrator

November 1, 2006
Signature Date

Theodore Parnall
Public Arbitrator

Signature Date

Paul J. Robinson
Non-Public Arbitrator

Signature Date

11/7/06
Date of Service