

**Award
NASD Dispute Resolution**

COPY

In the Matter of the Arbitration Between:
Arthur Toppston, Claimant v. Citigroup Global Markets Inc. and Charles Arthur
Goodman, Respondents

Case Number: 05-05573

Hearing Site: Albuquerque, New Mexico

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

REPRESENTATION OF PARTIES

For Claimant:

Sam Bregman, Esq.
The Bregman Law Firm, P.C.
Albuquerque, New Mexico

For Respondents:

Raul Sanchez, Esq.
Citigroup Global Markets, Inc.
New York, New York

CASE INFORMATION

Statement of Claim filed: October 27, 2005

Claimant's Uniform Submission Agreement signed: October 26, 2005

Joint Statement of Answer filed by Respondents: January 26, 2006

Respondent Citigroup Global Markets Inc.'s Uniform Submission Agreement signed:
January 23, 2006

Respondent Charles Arthur Goodman's Uniform Submission Agreement: None
submitted.

CASE SUMMARY

Claimant alleged breach of fiduciary duty, breach of contract, negligence, unsuitability, failure to supervise, and violation of the New Mexico Unfair Practices Act. Claimant's allegations involved unspecified securities.

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

RELIEF REQUESTED

Claimant requested \$130,429.55 in compensatory damages, treble damages in the sum of \$391,288.65, pre- and post-judgment interest, and costs, including attorney's fees.

Respondents requested dismissal of the Claimant's Statement of Claim in its entirety, expungement of all reference to the above-captioned arbitration from Respondent Charles Arthur Goodman's registration records maintained by the NASD Central Registration Depository, and costs, including attorney's fees.

OTHER ISSUES CONSIDERED AND DECIDED

Respondent Charles Arthur Goodman did not file with the NASD Dispute Resolution a properly executed submission agreement but is required to submit to arbitration pursuant to the Code and having answered the claim, appeared and testified at the hearing, is bound by the determination of the Panel on all issues submitted.

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

- 1) Claimant's claims are denied in their entirety.
- 2) Respondent Charles Arthur Goodman's request for expungement is denied.
- 3) Respondent Citigroup Global Markets Inc. is liable to and shall pay to Claimant the sum of \$375.00 as reimbursement of Claimant's filing fee.
- 4) Except as noted above, the parties shall bear their respective costs, including attorney's fees.
- 5) All other relief requested 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	= \$ 375.00
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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 Markets Inc. is a party and the following fees are assessed:

Member Surcharge	= \$2,250.00
Pre-Hearing Process Fee	= \$ 750.00
<u>Hearing Process Fee</u>	<u>= \$4,000.00</u>
Total Member Fees	= \$7,000.00

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 arbitrators, including a pre-hearing conference with the arbitrators that lasts 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: March 17, 2006 1 session

(3) Hearing sessions @ \$1,200.00/session = \$3,600.00
Hearing: July 18, 2006 3 sessions

Total Forum Fees = \$4,800.00

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

Fee Summary

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

Initial Filing Fee	= \$ 375.00
Less payments	= \$(1,575.00)
Refund Due Claimant	= \$(1,200.00)

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

Member Fees	= \$ 7,000.00
Forum Fees	= \$ 4,800.00
Total Fees	= \$11,800.00
Less payments	= \$(7,000.00)
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.

ARBITRATION PANEL

Lawrence M. Berkowitz
Thomas Smidt, II, Esq
Jonathan H. Larson, Esq.

- Public Arbitrator, Presiding Chair
- Public Arbitrator
- Non-Public Arbitrator

Concurring Arbitrators' Signatures


Lawrence M. Berkowitz
Chair, Public Arbitrator

7-26-06
Signature Date

Thomas Smidt, II, Esq.
Public Arbitrator

Signature Date

Jonathan H. Larson, Esq.
Non-Public Arbitrator

Signature Date

7/26/06
Date of Service

ARBITRATION PANEL

Lawrence M. Berkowitz	-	Public Arbitrator, Presiding Chair
Thomas Smidt, II, Esq	-	Public Arbitrator
Jonathan H. Larson, Esq.	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

Lawrence M. Berkowitz
Chair, Public Arbitrator

Signature Date

Thomas Smidt II
Thomas Smidt, II, Esq.
Public Arbitrator

7/25/06
Signature Date

Jonathan H. Larson, Esq.
Non-Public Arbitrator

Signature Date

7/26/06
Date of Service

ARBITRATION PANEL

Lawrence M. Berkowitz	-	Public Arbitrator, Presiding Chair
Thomas Smidt, II, Esq.	-	Public Arbitrator
Jonathan H. Larson, Esq.	-	Non-Public Arbitrator

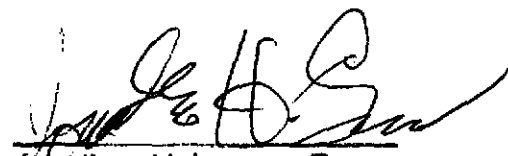
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Signature Date



Date of Service