

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 99-04118

Muriel and Marvin Strom, individually and as Trustees of The Marvin Strom Living Trust w/a/d 1/10/89, and The Muriel Strom Living Trust w/a/d 1/10/89, Claimants vs. Salomon Smith Barney and Eric Applewhite, Respondents.

ATTORNEYS:

For Claimants, Muriel and Marvin Strom, individually and as trustees ("Claimants"), appeared Mitchell L. Perlstein, Esq. of the Investor's Law Center, Boca Raton, FL.

For Respondents, Salomon Smith Barney ("Salomon Smith Barney") and Eric Leon Applewhite ("Applewhite"), appeared General Counsel for Salomon Smith Barney, Ann Parry, Esq., New York, NY.

DATE FILED: September 7, 1999.

CASE SUMMARY: Claimants have had two trust accounts with Salomon Smith Barney since 1995, which were conservatively invested. In reliance of Salomon Smith Barney's solicitation, through its agent, Applewhite, Claimants made several investments which were not in accord with Claimants' stated objectives. Claimants alleged that Applewhite misrepresented the risk factors inherent in the various investments, in breach of his fiduciary duties. Claimants further alleged that due to Applewhite's breach, they suffered a financial loss.

Claim Data

Claim: \$20,000.00
Any Fees: unspecified
Filing Fees: \$425.00
Interest: 10% per annum
Other: unspecified

Award Data

Award: \$.00
Any Fees: \$.00
Filing Fees: \$212.50
Interest: \$.00
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 Claimant are dismissed in their entirety. 2) All requests for attorney fees are denied. 3) All other relief requests are denied. 4) Respondents' counterclaim was denied. 5) The \$425.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the Claimants, shall be retained by NASD Dispute Resolution, Inc. 6) Respondents shall pay Claimants \$212.50 as reimbursement of one-half of the filing fee.

OTHER FEES: Pursuant to Rule 10393 of the Code, Respondent, Salomon Smith Barney, has paid to NASD Dispute Resolution, Inc. the \$400.00 Member Surcharge previously invoiced.

Page Two
Award 99-04118

AFFIRMATION

I, Stuart Alan, 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.

A handwritten signature in dark ink, appearing to be "Stuart Alan", written over a horizontal line.

Stuart Alan

March 12, 2001
Date of award