

Award
FINRA Office of Dispute Resolution

In the Matter of the Arbitration Between:

Claimant

Case Number: [REDACTED]

vs.

Respondent

Hearing Site: Atlanta, Georgia

Citigroup Global Markets, Inc.

Nature of the Dispute: Associated Person vs. Member

REPRESENTATION OF PARTIES

For Claimant [REDACTED] Dochter Kennedy, J.D., MBA and Armin Sarabi, Esq.,
AdvisorLaw, LLC, Broomfield, Colorado.

For Respondent Citigroup Global Markets, Inc.: David I. Hantman, Esq., Bressler,
Amery & Ross, New York, New York.

CASE INFORMATION

Statement of Claim filed on or about: April 25, 2017.

[REDACTED] signed the Submission Agreement: April 25, 2017.

Statement of Answer filed by Respondent on or about: June 16, 2017.

Citigroup Global Markets, Inc. signed the Submission Agreement: May 2, 2017.

CASE SUMMARY

In the Statement of Claim, Claimant asserted the cause of action of inaccurate reporting on his Central Registration Depository ("CRD") record. The cause of action relates to a customer complaint, Occurrence No. [REDACTED] in connection with a settled FINRA Arbitration, Case No. [REDACTED] Customer vs. Citigroup Global Markets, Inc. (the "underlying arbitration"), recorded by Respondent on Claimant's CRD record.

In the Statement of Answer, Respondent did not oppose the requested expungement relief and objected to Claimant's request for \$1.00 in compensatory damages.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested: expungement of all references to Occurrence No. [REDACTED] from his CRD records; an award of damages in the amount of \$1.00; and any and all other relief that the Arbitrator deemed just and equitable.

In the Statement of Answer, Respondent requested that: Claimant's request for damages be denied; no forum fees be assessed against Respondent; and all other fees associated with this matter be assessed solely against Claimant.

OTHER ISSUES CONSIDERED AND DECIDED

The Arbitrator acknowledges that she has read the pleadings and other materials filed by the parties.

On or about August 15, 2017, and September 13, 2017, Claimant filed with FINRA Office of Dispute Resolution proof of service of the Statement of Claim and notice of the expungement hearing upon the underlying customer in Occurrence No. [REDACTED] and advised her of her right to participate in the expungement hearing scheduled for November 29, 2017.

The Arbitrator conducted a recorded telephonic hearing on November 29, 2017, so the parties could present oral argument and evidence on Claimant's request for expungement. At the hearing, Claimant withdrew his request for compensatory damages in the amount of \$1.00. Respondent did participate in the expungement hearing and did not contest the request for expungement.

The underlying customer did not participate in the recorded telephonic expungement hearing and did not contest the request for expungement.

The Arbitrator reviewed the BrokerCheck® Report for Claimant and the settlement documents, considered the amount of payments made to any party, and considered other relevant terms and conditions of the settlement. The Arbitrator noted that the settlement was not conditioned on the customer not opposing the request for expungement. The Arbitrator also noted that Claimant did not contribute to the settlement amount.

The Arbitrator noted that Claimant did not previously file a claim requesting expungement of the same disclosure in the CRD.

In recommending expungement, the Arbitrator relied upon the following documentary or other evidence: the parties' respective pleadings and the testimony of Claimant which the Arbitrator deemed credible.

The Arbitrator has provided an explanation her decision in this award. The explanation is for the information of the parties only and is not precedential in nature.

AWARD

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

1. The Arbitrator recommends the expungement of all references to Occurrence No. [REDACTED] from registration records maintained by the CRD for Claimant (CRD#

[REDACTED] with the understanding that, pursuant to Notice to Members 04-16, Claimant must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.

Unless specifically waived in writing by FINRA, parties seeking judicial confirmation of an arbitration award containing expungement relief must name FINRA as an additional party and serve FINRA with all appropriate documents.

Pursuant to Rule 13805 of the Code of Arbitration Procedure (the "Code"), the Arbitrator has made the following Rule 2080 affirmative findings of fact:

The claim, allegation, or information is factually impossible or clearly erroneous and

The claim, allegation or information is false.

The Arbitrator has made the above Rule 2080 findings based on the following reasons:

The Arbitrator concluded that the underlying customer's claim is erroneous based on the reasonable diligence of Claimant, Respondent and the professional money managers, as evidenced by Claimant's testimony that that the customer received monthly statements, quarterly conference calls to review her accounts and an annual questionnaire to review her risk/tolerance allocation. The customer never indicated that she was uncomfortable with any of her accounts or changed her investment objectives. The Arbitrator also concluded that customer's claim is false because Claimant had no discretion over any of the customer's accounts. Three of her accounts were managed by independent, unaffiliated professional money managers chose by the customer and the fourth account was self-directed. The customer was given frequent information on the performance of the money managers and frequently reviewed her own investment strategies and preferences.

2. Any relief not specifically addressed herein is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

FINRA Office of Dispute Resolution assessed a filing fee* for each claim:

Initial Claim Filing Fee	= \$ 50.00
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**The filing fee is made up of a non-refundable and a refundable portion.*

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. Accordingly, as a party, Respondent is assessed the following:

Member Surcharge = \$ 150.00

Hearing Session Fees and Assessments

The Arbitrator has assessed hearing session fees for each session conducted. A session is any meeting between the parties and the arbitrator(s), including a pre-hearing conference with the arbitrator(s) that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) pre-hearing session with a single arbitrator @ \$450.00/session = \$ 50.00
Pre-hearing conference: August 15, 2017 1 session

One (1) hearing session on expungement request @ \$450.00/session = \$ 50.00
Hearing Date: November 29, 2017 1 session

Total Hearing Session Fees = \$ 100.00

The Arbitrator has assessed the total hearing session fees of \$100.00 to Claimant.

All balances are payable to FINRA Office of Dispute Resolution and are due upon receipt.

ARBITRATOR

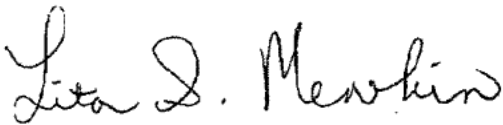
Lita S. Menkin

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Sole Public Arbitrator

I, the undersigned Arbitrator, do hereby affirm that I am the individual described herein and who executed this instrument which is my award.

Arbitrator's Signature



12/1/17

Signature Date

Lita S. Menkin
Sole Public Arbitrator

12/1/17

Date of Service (For FINRA Office of Dispute Resolution office use only)