

In the Statement of Answer, Respondent requested the Arbitrator deny Claimant's request for compensatory damages and assess all forum fees to Claimant. Respondent does not oppose Claimant's request for expungement.

OTHER ISSUES CONSIDERED AND DECIDED

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

The Arbitrator conducted a recorded telephonic hearing on September 25, 2018 so the parties could present oral argument and evidence on Claimant [REDACTED] request for expungement.

Claimant provided the FINRA Office of Dispute Resolution with proof that he served the customers in the underlying complaints with notice of his expungement request and notice of the customers' right to participate and testify at the expungement hearing.

The Arbitrator reviewed the BrokerCheck® Report for Claimant [REDACTED] and the settlement documents related to occurrence number [REDACTED], considered the amount of payments made to the customers, and considered other relevant terms and conditions of the settlement. The Arbitrator noted that the Settlement Agreement was not conditioned on the customers not opposing the request for expungement. The Arbitrator also noted that Claimant [REDACTED] did not contribute to the settlement amount.

The Arbitrator finds that the underlying customers do not desire to participate in the expungement hearing and that a decision on the merits of Claimant's request can be entered.

At the hearing, Claimant withdrew his request for compensatory damages.

The Arbitrator noted that Claimant [REDACTED] did not previously file a claim requesting expungement of occurrence numbers [REDACTED], [REDACTED], and [REDACTED].

In recommending expungement, the Arbitrator relied upon the following documentary or other evidence: the pleadings, party submissions, Claimant's BrokerCheck® Report, and testimony.

The customers did not participate in the expungement hearing and did not contest the request for expungement.

AWARD

After considering the pleadings, the testimony and evidence presented at the 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 numbers [REDACTED], [REDACTED], and [REDACTED] from registration records maintained by the Central Registration Depository ("CRD"), for Claimant [REDACTED] [REDACTED] (CRD# [REDACTED]), with the understanding that, pursuant to Notice to Members 04-16, Claimant [REDACTED] 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, the Arbitrator has made the following Rule 2080 affirmative findings of fact:

The claim, allegation, or information is factually impossible or clearly erroneous; the registered person was not involved in the alleged investment-related sales practice violation, forgery, theft, misappropriation, or conversion of funds; and the claim, allegation, or information is false.

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

Occurrence numbers [REDACTED] and [REDACTED]

The customers were clients of a partner of Claimant, and both of them had been introduced and encouraged by that partner to purchase Auction Rate Securities, did so, and when the market for those securities collapsed sought relief from their brokerage firm, Claimant's employer, but none from the Claimant at all. Claimant testified credibly that he had never communicated with either of these customers at any time, never promoted those or any transaction whatever, nor offered nor gave any advice to them at all, and that his practice, and that of his partner, was to deal with his own clients only and never with those of his partner for any reason whatsoever.

Occurrence number [REDACTED]

The customers with whom Claimant had neither ties nor communication at all, had invested in certain mutual funds at the recommendation and encouragement of Claimant's partner, and their complaint did not name the Claimant as a Respondent. The customers' claim for \$100,000.00 was settled with payment by the brokerage firm of \$15,000.00, and no contribution was asked or paid by either the Claimant or the actual broker, his partner, the only person to have promoted and discussed the investment with the customers.

2. Any and all claims for relief not specifically addressed herein are denied.

FEES

Pursuant to the Code of Arbitration Procedure, 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 that employed the associated person at the time of the events giving rise to the dispute. Accordingly, as a party, Respondent Citigroup Global Markets, Inc. is assessed the following:

Member Surcharge	= \$ 150.00
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Postponement Fees

Postponements granted during these proceedings for which fees were assessed or waived:

September 24, 2018, postponement by Claimant	= \$ 50.00
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Total Postponements Fees	= \$ 50.00
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The Arbitrator has assessed the \$50.00 postponement fees to Claimant.

Discovery-Related Motion Fee

Fees apply for each decision rendered on a discovery-related motion.

One (1) decision on a discovery-related motion on the papers with one (1) arbitrator @ \$200.00/decision	= \$ 200.00
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Claimant submitted one discovery-related motion

Total Discovery-Related Motion Fees	= \$ 200.00
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The Arbitrator has assessed the \$200.00 discovery-related motion fees to Claimant.

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

One (1) pre-hearing session with a single arbitrator @ \$50.00/session	= \$	50.00
Pre-hearing conference: June 26, 2018	1 session	
One (1) hearing session on expungement request @ \$50.00/session	= \$	50.00
Hearing Date: September 25, 2018	1 session	
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Total Hearing Session Fees	= \$	100.00

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

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

ARBITRATOR

Joseph B. Russell

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Sole Public Arbitrator

I, the undersigned Arbitrator, do hereby affirm, pursuant to Article 7507 of the Civil Practice Law and Rules, that I am the individual described herein and who executed this instrument which is my award.

Arbitrator's Signature

/s/ Joseph B. Russell"
Joseph B. Russell
Sole Public Arbitrator

October 5, 2018
Signature Date

October 9, 2018

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