

**Award
FINRA Dispute Resolution**

In the Matter of the Arbitration Between:

Name of Claimants

Case Number: 08-03114

Howard D. Coleman, individually and as trustee of The Coleman Family Trust U/T/A 1/18/1992 and Rhoda B. Coleman, individually and as trustee of The Coleman Family Trust U/T/A 1/18/1992

Name of Respondent

Hearing Site: Los Angeles, California

Citigroup Global Markets Inc.

Nature of Dispute: Customers vs. Member

REPRESENTATION OF PARTIES

Claimants, Howard D. Coleman, individually and as trustee of The Coleman Family Trust U/T/A 1/18/1992 and Rhoda B. Coleman, individually and as trustee of The Coleman Family Trust U/T/A 1/18/1992, hereinafter collectively referred to as "Claimants": Philip A. Aidikoff, Esq., Aidikoff, Uhl & Bakhtiari, Beverly Hills, California and Steven B. Caruso, Esq., Maddox Hargett & Caruso, P.C., New York, New York.

Respondent, Citigroup Global Markets Inc., hereinafter referred to as "Respondent": Elizabeth H. Lindh, Esq., Keesal, Young & Logan, Long Beach, California.

CASE INFORMATION

Statement of Claim filed: September 2, 2008.

Claimants signed the Submission Agreement: August 27, 2008.

Statement of Answer filed by Respondent on or about: November 14, 2008.

Respondent signed the Submission Agreement: February 17, 2009.

CASE SUMMARY

Claimants asserted the following causes of action: 1) breach of fiduciary duty; 2) breach of written contract; 3) constructive fraud; 4) acts and omissions in violation of FINRA, NASD, and NYSE Rules; 5) suitability; 6) failure to supervise and secondary

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liability; and 7) respondeat superior. The causes of action relate to the purchase of a California tax free municipal bond fund - MatFive LLC Series ASTA Five 2007 1-CA.

Unless specifically admitted in its Answer, Respondent denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

In the Statement of Claim, Claimants requested:

1. General and compensatory damages in an amount according to proof but not less than \$400,000.00 minus residual value and/or amounts withdrawn;
2. Lost opportunity costs in an amount according to proof;
3. Fees, commissions, or other remuneration paid to Respondent by Claimants;
4. Cost of proceedings;
5. Punitive damages in an amount according to proof;
6. Interest at the legal rate on all sums recovered;
7. Attorneys' fees and costs;
8. Rescission; and
9. Other and further relief as this Panel deems just and appropriate.

In the Statement of Answer, Respondent requested dismissal of the Statement of Claim with prejudice and that costs be assessed against Claimants.

OTHER ISSUES CONSIDERED AND DECIDED

The Arbitrators acknowledge that they have each read the pleadings and other materials filed by the parties.

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

1. Respondent Citigroup Global Markets Inc. is liable for and shall pay Claimants Howard D. Coleman, individually and as trustee of The Coleman Family Trust U/T/A 1/18/1992 and Rhoda B. Coleman, individually and as trustee of The Coleman Family Trust U/T/A 1/18/1992 compensatory damages in the sum of \$230,667.00.
2. Claimants' request for punitive damages is denied.
3. Each party is to bear their own costs, including attorneys' fees and expert witness fees.
4. Any and all relief not specifically addressed herein is denied.

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FEES

Pursuant to the Code of Arbitration Procedure, the following fees are assessed:

Filing Fees

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

Initial Claim filing fee = \$ 1,425.00

**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 persons at the time of the events giving rise to the dispute. Accordingly, as a party, Citigroup Global Markets Inc. is assessed the following:

Member surcharge	= \$ 1,700.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$ 2,750.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

March 1 - 5, 2010, adjournment by stipulation of the parties = \$ 1,125.00

1. The Panel has assessed \$562.50 of the postponement fees jointly and severally to Claimants.
2. The Panel has assessed \$562.50 of the postponement fees to Respondent.

Contested Motion for Issuance of a Subpoena Fees

Fees apply for each decision on a contested motion for the issuance of a subpoena.

One (1) Decision on a contested motion for the issuance of a subpoena with one (1) arbitrator @ \$200.00	= \$ 200.00
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Total Contested Motion for Issuance of a Subpoena Fee	= \$ 200.00
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1. The Panel has assessed \$100.00 of the contested motion for issuance of a subpoena fee jointly and severally to Claimants.
2. The Panel has assessed \$100.00 of the contested motion for issuance of a subpoena fee to Respondent.

Hearing Session Fees and Assessments

The Panel 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:

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One (1) Pre-hearing session with a single arbitrator @ \$450.00/session	= \$ 450.00
Pre-hearing conference: October 23, 2009	1 session
Two (2) Pre-hearing sessions with the Panel @ \$1,125.00/session	= \$ 2,250.00
Pre-hearing conferences: January 9, 2009	1 session
January 15, 2009	1 session
Ten (10) Hearing sessions @ \$1,125.00/session	= \$11,250.00
Hearing Dates: February 7, 2011	2 sessions
February 8, 2011	3 sessions
February 9, 2011	2 sessions
February 10, 2011	3 sessions
Total Hearing Session Fees	= \$13,950.00

1. The Panel has assessed \$6,975.00 of the hearing session fees jointly and severally to Claimants.
2. The Panel has assessed \$6,975.00 of the hearing session fees to Respondent.

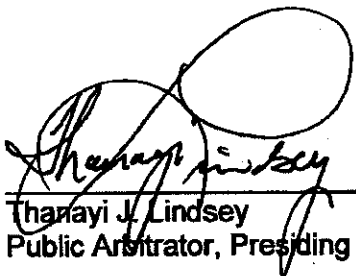
All balances are payable to FINRA Dispute Resolution and are due upon receipt.

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ARBITRATION PANEL

Thanayi J. Lindsey	-	Public Arbitrator, Presiding Chairperson
Mary M. O'Neil	-	Public Arbitrator
Jeffrey E. Skogsbergh	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures



 Thanayi J. Lindsey
 Public Arbitrator, Presiding Chairperson

02/24/2011

 Signature Date

 Mary M. O'Neil
 Public Arbitrator

 Signature Date

 Jeffrey E. Skogsbergh
 Non-Public Arbitrator

 Signature Date

FEBRUARY 25, 2011

 Date of Service (For FINRA Dispute Resolution use only)

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- Thanayi J. Lindsey - Public Arbitrator, Presiding Chairperson
- Mary M. O'Neil - Public Arbitrator
- Jeffrey E. Skogsbergh - Non-Public Arbitrator

Concurring Arbitrators' Signatures

Thanayi J. Lindsey
Public Arbitrator, Presiding Chairperson

Signature Date

Mary M. O'Neil

Mary M. O'Neil
Public Arbitrator

2-23-11

Signature Date

Jeffrey E. Skogsbergh
Non-Public Arbitrator

Signature Date

FEBRUARY 25, 2011

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Mary M. O'Neil	-	Public Arbitrator
Jeffrey E. Skogsbergh	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

Thanayi J. Lindsey
Public Arbitrator, Presiding Chairperson

Signature Date

Mary M. O'Neil
Public Arbitrator

Signature Date



Jeffrey E. Skogsbergh
Non-Public Arbitrator

2/22/2011
Signature Date

FEBRUARY 25, 2011
Date of Service (For FINRA Dispute Resolution use only)



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Number of Pages including the Cover Sheet: 11

Date: 02/25/2011

Case Number: 08-03114

Case Name: Howard D. Coleman, individually, et al. vs. Citigroup Global Markets Inc.

To: Philip M. Aidikoff

Phone: 310-274-0666 Fax: 310-859-0513

From: Ianthe Philips
Case Administrator

9/1

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