

Commodity Futures Trading Commission
CEA CASES

NAME: G. H. MILLER AND COMPANY; GILBERT H. MILLER; HOWARD RANDOLPH, D/B/A RANDOLPH AND COMPANY; REFRIGERATED PRODUCTS, INC.; J.W. HARDING; CENTRAL IOWA POULTRY AND EGG COMPANY; JOHN H. SNOWGREN; ALLEN HEADLEE, D/B/A HEADLEE PRODUCE COMPANY; E.E. HUMMEL AND K. HUMMEL, D/B/A HUMMEL PRODUCE COMPANY; ALBERT SCHIRM, D/B/A SCHIRM PRODUCE COMPANY; LEO HAGEN; A.L. MYRICK, D/B/A MARKET PRODUCE COMPANY; LEWIS R. VAN SANT AND ROY ROUNTREE, D/B/A DATED EGG COMPANY

CITATION: 18 Agric. Dec. 338

DOCKET NUMBER: 60

DATE: APRIL 9, 1959

DOCUMENT TYPE: REMOVAL OF STAY ORDER

ORDER DENYING PETITION TO REOPEN

(No. 5862)

In re G. H. MILLER AND COMPANY *et al.* CEA Docket No. 60. Decided April 9, 1959.

Stay Order Vacated

The stay order of January 8, 1957, is vacated and the orders of September 25 and December 31, 1955, are reinstated.

Decision by Thomas J. Flavin, Judicial Officer

REMOVAL OF STAY ORDER

On January 8, 1957 (16 Agric. Dec. 5 (16 A.D. 5)), an order was entered in this proceeding under the Commodity Exchange Act (7 U.S.C. Chapter 1) staying the effectiveness of orders entered September

25 (15 Agric. Dec. 1015 (15 A.D. 1015)) and December 31, 1956 (15 Agric. Dec. 1296 (15 A.D. 1296)), prescribing sanctions against respondents for violations of the act. The stay order was entered because respondents had appealed to the United States Court of Appeals for the Seventh Circuit. The Court of Appeals upheld the decision and order (260 F.2d 286), and on February 24, 1959, the United States Supreme Court denied certiorari.

Accordingly, the stay order of January 8, 1957, is vacated, and the orders of September 25 and December 31, 1956, are reinstated (except as to respondent J. W. Harding who is deceased) as follows:

Effective May 15, 1959, the registration of G. H. Miller and Company as a futures commission merchant and the registration of Gilbert H. Miller as a floor broker are revoked.

Effective May 15, 1959, all contract markets shall refuse all trading privileges, direct or indirect, to G. H. Miller and Company, Gilbert H. Miller, Howard Randolph, Randolph and Company, and Refrigerated Products, Inc., for a period of one year.

Effective May 15, 1959, all contract markets shall refuse all trading privileges, direct or indirect, to Central Iowa Poultry and Egg Company, John H. Snowgren, Allen Headlee, Headlee Produce Company, A. L. Myrick, Market Produce Company, Lewis R. Van Sant, Roy Rountree, and Dated Egg Company for a period of six months.

Effective May 15, 1959, all contract markets shall refuse all trading privileges, direct or indirect, to E. E. Hummel, K. Hummel, Hummel Produce Company, Albert Schirm, Schirm Produce Company, and Leo Hagen for a period of sixty days.

Copies hereof shall be served on the parties or their counsel of record, and upon each contract market.

LOAD-DATE: June 8, 2008

