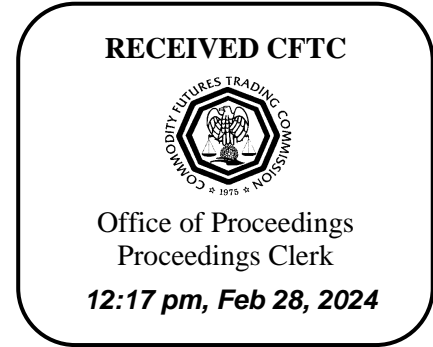




**U.S. COMMODITY FUTURES TRADING COMMISSION**

Three Lafayette Centre  
1155 21st Street, NW, Washington, DC 20581  
[www.cftc.gov](http://www.cftc.gov)

Office of Proceedings



\_\_\_\_\_  
Seymour Schatz,

Complainant,

v.

AMP Global Clearing LLC  
d/b/a AMP Futures,

Respondent.  
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CFTC Docket No. 23-R004  
**Served by electronic mail**

**DISMISSAL ORDER**

On February 6, 2024 this Office served by certified mail and electronic mail an Order To Show Cause Why This Case Should Not Be Dismissed For Non-Prosecution (attached as Addendum A). In that Order, I gave Complainant Seymour Schatz until February 27, 2024 to produce certain evidence and explain his absence in the case. I informed him that failure to do so would result in the immediate dismissal of his Complaint. Schatz has not responded to that Order. Because of this failure to maintain a presence in his case, this case is dismissed with prejudice.

Dated: February 28, 2024

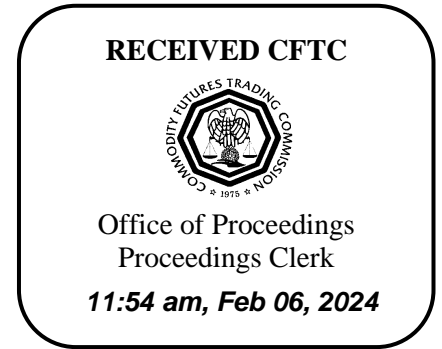
/s/ Kavita Kumar Puri  
Kavita Kumar Puri  
Administrative Judge



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CFTC Docket No. 23-R004  
**Served electronically  
& by certified mail**

**ORDER TO SHOW CAUSE  
WHY THIS CASE SHOULD NOT BE  
DISMISSED FOR NON-PROSECUTION**

Complainant Seymour Schatz has failed to appear before this Office at a status conference and respond to this Office’s email and telephone queries since September 2023. Because of these failures, and as per the procedural history set forth below, Schatz has until February 27, 2024 to produce (1) working telephone numbers at which this Office and AMP Futures can contact him; (2) an explanation of his absence; (3) and a submission explaining whether he intends to continue litigating this case. If he fails to submit these three things by February 27, this Office will issue an Order of Dismissal with prejudice.

**I. Procedural History and Findings of Fact**

1. Schatz filed his Complaint on April 24, 2023.

2. AMP Futures timely filed its Answer on June 22, 2023.

3. This case is a Summary Proceeding.

4. On July 25, 2023, Schatz emailed this office to note that his contact information had changed from: 631 Normandy Road, Madeira Beach, Florida 33708, to: 8007 Cypress Crossing Court, Tampa, 33647-2809. He also provided us an updated telephone number as 727-488-1758.

5. In August 2023, our Office updated the service list, which listed Schatz's Tampa address as well as two phone numbers: (727) 488-1758 and (727) 393-2040. It also noted Mr. Schatz's email address as sschatz\_98@yahoo.com

6. Our Office also successfully served the Notice of Summary Proceeding, Notice of Virtual Hearing, and Order Authorizing E-Filing on August 21, 2023 to Schatz's email address.

7. Schatz produced documents and participated actively in discovery through September 22, 2023. However, neither this Office nor Respondent AMP Futures had heard from him since.

8. In the Initial Scheduling Order, dated August 21, 2023, the parties were ordered to attend a virtual discovery conference on Thursday, February 1, 2024 at 10:00 am ET.

9. To that end, this Office sent the parties an email on January 26, 2024, ordering that they attend a brief technical run with Jamie Chakhtoura, our Office's Attorney-Advisor. That technical run-through was to take place on either Tuesday, January 30 or Wednesday, January 31, 2024.

10. Schatz did not respond to that email.

11. Mr. Chakhtoura then attempted to call Mr. Schatz on both telephone numbers listed in Paragraph 5 above on January 30, 2024. Both those numbers had been disconnected.

12. Schatz never appeared at the technical run through held on January 30, 2024.

13. On Tuesday, January 30, 2024, I sent the parties an email stating in part: “Should Mr. Schatz fail to appear at Thursday’s conference, I will issue an Order to Show Cause asking why these proceedings should not be terminated in light of his non-participation.”

14. Schatz did not respond that email.

15. Schatz also failed to appear at the actual hearing on February 1, 2024.

16. Having received no communications from Schatz, I have no insight into why he has not participated in his case since late September 2023.

17. However, there is an obituary for a Mr. Seymour Schatz of Tampa, Florida who would be the same age as our Complainant. *See* <https://theobituaryapp.com/obituaries/seymour-schatz/4260487>. I send this Order to Show Cause in the hope and the event that the deceased Seymour Schatz is someone other than Complainant.

## **II. Procedural History and Findings of Fact**

Commission Rule 12.201 allows this Office to “issue default orders for good cause against parties who fail to participate in the proceedings or comply with” the

Commission rules. 17 C.F.R. § 12.201(f). Commission Rule 12.35 also allows dismissal for a party's failure to comply with a discovery order. 17 C.F.R. § 12.35(e) & 12.201(d).

By way of this Order to Show Cause, I am giving Schatz another notice that further failure to appear will result in his case's immediate dismissal. *See e.g., Holaday v. Am. Fin. Svcs.*, CFTC No. 99-R156, 1999 WL 1256265 (Dec. 23, 1999) (dismissing proceeding for failure to prosecute claim); *Barach v. Elders Futures, Inc.*, CFTC No. 88-R394, 1989 WL 242224 (Oct. 17, 1989) (dismissing the case "with prejudice for cause in refusing to comply with procedural rules, duly entered orders, and a failure to prosecute the claim."). That Order of Dismissal will be issued on February 28, 2024 if Schatz files no response to this Order to Show Cause.<sup>1</sup>

Dated: February 6, 2024

/s/ Kavita Kumar Puri  
Kavita Kumar Puri  
Administrative Judge

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<sup>1</sup> Although the parties consented to e-filing and were in fact e-filing at the start of discovery, in addition to serving this Order to Show Cause by e-mail we are also serving it to Schatz's last known address by certified mail out of an abundance of caution.