

Commodity Futures Trading Commission
CEA CASES

NAME: AMERICAN COMMODITY BROKERS, INC., PHYLLIS C. DEMPSTER, AND JOHN WHELAN

DOCKET NUMBER: 185

DOCUMENT TYPE: ISSUANCE OF COMPLAINT

UNITED STATES DEPARTMENT OF AGRICULTURE

Commodity Exchange Authority

Washington, D. C. 20250

ISSUANCE OF COMPLAINT - CEA DOCKET NO. 185

(Administrative Hearing under the Commodity Exchange Act)

A complaint and notice of hearing has been signed by the Under Secretary of Agriculture, charging violation of the Commodity Exchange Act by:

American Commodity Brokers, Inc.,

Phyllis C. Dempster,

and John Whelan

(Monroe, Michigan)

The complaint charges that as of March 31, 1970, the respondent corporation, while registered as a futures commission merchant under the Act, failed to meet minimum financial requirements prescribed for futures commission merchants. As of March 31, 1970, the working capital insufficiency was approximately \$ 84,000. In connection with this insufficiency, the complaint alleges that the respondents willfully made material false statements to the Authority. The complaint also charges other violations relating to the handling of customers' funds and recordkeeping.

The issuance of a complaint under the Commodity Exchange Act does not constitute proof of violation of the law. Such violation is established only when the Judicial Officer of the Department has made a determination that the evidence substantiates allegations in the complaint. Complaints are filed in the Office of the Hearing Clerk of the Department of Agriculture and are a matter of public record. Pending disposition by the Judicial Officer, it is the policy of the Commodity Exchange Authority not to comment or elaborate on charges contained in complaints or to discuss evidence on which they are based.

A public hearing on the complaint is scheduled to be held before a referee at 10:00 a.m., local time, October 27, 1971, in Monroe, Michigan.

LOAD-DATE: June 16, 2008

