



U.S. COMMODITY FUTURES TRADING COMMISSION

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Office of Proceedings

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1:26 pm, Mar 09, 2015

AZUBUEZE JIAGBOGU,
Complainant,

v.

TRADESTATION SECURITIES, INC.,
Respondent.

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CFTC Docket No. 14-R004
Served via USPS

ORDER DISMISSING PROCEEDING and AWARDING COSTS

By Order dated December 9, 2014, Azubueze Jiagbogu was ordered to show cause: one, why his complaint against TradeStation Securities Incorporated should not be dismissed with prejudice, based on his failure to comply with a discovery order and his failure to participate in this proceeding; two, why TradeStation should not be awarded costs and attorney's fees incurred in connection with the discovery-related motions filed July 3 and 30, August 6, and November 17, 2014; and three, why TradeStation should not be awarded its total costs and attorney's fees incurred in connection with defending this matter. Jiagbogu was warned that failure to file a timely, complete, responsive, and good faith reply would subject him to the contemplated sanctions.

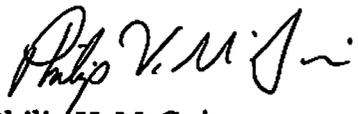
Jiagbogu has failed to file any written response to the December 9th Order. As a result, it is concluded that Jiagbogu: has ceased to participate in this proceeding; has failed to substantiate his thin complaint; and has failed to rebut TradeStation's compelling showing that Jiagbogu's complaint was frivolous and vexatious and that Jiagbogu has acted in bad faith throughout this proceeding, causing TradeStation to incur needless costs and attorney's fees totaling at least \$3,970.¹

Accordingly, pursuant to CFTC rules 12.35(e), and 12.304(c), (i) and (m): one, Azubueze Jiagbogu's complaint is **dismissed with prejudice** to his right to file a claim against TradeStation Securities Incorporated, and/or its agents and principals, in the reparations forum or in any alternative forums, based on the same set of facts as alleged in his reparations complaint; and two, Azubueze Jiagbogu is **ordered** to pay,

¹ See TradeStation's motion for sanctions (filed November 17, 2014), request for sanctions (filed December 8, 2014), and compliance with December 9th order (filed December 22, 2014).

no later than the close of business on March 20, 2015, \$3,970 to TradeStation Securities Incorporated.

March 9, 2015.

A handwritten signature in black ink, appearing to read "Philip V. McGuire". The signature is written in a cursive style with a prominent initial "P" and a long horizontal stroke at the end.

Philip V. McGuire,
Judgment Officer