

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION

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U.S. DISTRICT COURT  
EASTERN DIST. TENN.

BY \_\_\_\_\_ DEPT. CLERK

COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

vs.

DENNIS R. BOLZE and  
CENTURION ASSET MANAGEMENT, INC.,

Defendants,

and

ADVANCED TRADING SERVICES, INC.,  
Relief Defendant.

Civil Action No:

Complaint For Injunctive And Other  
Equitable Relief And Civil Monetary  
Penalties Under The Commodity  
Exchange Act

I. SUMMARY

1. From at least Spring 2002 to the present (the "relevant period"), Dennis R. Bolze ("Bolze"), with the assistance of other individuals, fraudulently solicited and accepted approximately \$20 million dollars from at least 100 customers for purposes of operating a commodity pool for trading commodity futures contracts on their behalf. Bolze formed a Nevada corporation called Centurion Asset Management, Inc. ("CAM"), which operated the commodity pool and received the pool participants' funds. Bolze and CAM (collectively, "Defendants") traded a portion of the funds they accepted through a commodity futures trading account carried in the name of another Nevada corporation Bolze formed, Advanced Trading Services, Inc. ("ATS" or "Relief Defendant"). Defendants misrepresented to prospective pool participants that Bolze's trading was earning between 15 and 20% annual profits, when his trading was unprofitable. After the participants invested, the Defendants caused false statements to be issued to pool participants that misrepresented the value of their respective interests in the pool. On information and belief, the Defendants misappropriated participant funds for their own

benefit and operated the commodity pool in a manner akin to a Ponzi scheme, using newly received participant funds to pay profits and withdrawals to participants. Additionally, CAM acted as a commodity pool operator (“CPO”) without the benefit of registration with the Commodity Futures Trading Commission (“CFTC” or “Commission”) and Bolze acted as an associated person (“AP”) of CAM, without the benefit of registration with the Commission.

2. Defendants have engaged, are engaging, or are about to engage in acts or practices that violate the anti-fraud provisions of Sections 4b(a)(2) and 4o(1) of the Commodity Exchange Act (the “Act”), 7 U.S.C. §§ 6b(a)(2) and 6o(1) (2006), and Section 4b(a)(1) of the Act as amended by the Food, Conservation, and Energy Act of 2008, Pub. L. No. 110-246, Title XIII (the CFTC Reauthorization Act (“CRA”)), § 13102, 122 Stat. 1651 (effective June 18, 2008), to be codified at 7 U.S.C. § 6b(a)(1). Further, CAM has engaged, is engaging, or is about to engage in acts or practices that violate the registration provision of Section 4m(1) of the Act, 7 U.S.C. § 6m(1) (2006), and Bolze has engaged, is engaging, or is about to engage in acts or practices that violate the registration provision of Section 4k(2) of the Act, 7 U.S.C. § 6k(2) (2006).

3. Unless restrained and enjoined by this Court, the Defendants are likely to continue to engage in the acts and practices alleged in this Complaint and in similar acts and practices, as more fully described below.

4. Accordingly, pursuant to Section 6c of the Act, 7 U.S.C. § 13a-1 (2006), the Commission brings this action to enjoin such acts and practices, prevent the dissipation of assets, and compel compliance with the provisions of the Act. In addition, the Commission seeks civil monetary penalties, an accounting, restitution, disgorgement and such other equitable relief as

the Court may deem necessary or appropriate under the circumstances. The Commission also seeks disgorgement of customer funds from ATS, the Relief Defendant.

## II. JURISDICTION AND VENUE

5. This Court has jurisdiction over this action pursuant to Section 6c of the Act, 7 U.S.C. § 13a-1 (2006), which authorizes the Commission to seek injunctive relief against any person whenever it shall appear to the Commission that such person has engaged, is engaging, or is about to engage in any act or practice constituting a violation of any provision of the Act or any rule, regulation or order thereunder.

6. Venue properly lies with this Court pursuant to Section 6c of the Act, 7 U.S.C. § 13a-1(e) (2006), in that the Defendants transacted business in this District, and the acts and practices in violation of the Act have occurred, are occurring, or are about to occur within this District, among other places.

## III. THE PARTIES

### PLAINTIFF

7. Plaintiff **Commission** is an independent federal regulatory agency that is charged with responsibility for administering and enforcing the provisions of the Act, 7 U.S.C. §§ 1 *et seq.* (2006), and the regulations promulgated thereunder, 17 C.F.R. §§ 1 *et seq.* (2008).

### DEFENDANTS

8. Defendant **Dennis R. Bolze** is 60 years old and resides in Gatlinburg, Tennessee. He has never been registered in any capacity with the Commission. His current whereabouts are unknown. Pool participants filed a Chapter 7 involuntary bankruptcy against Bolze on January 9, 2009. *See In re Dennis Bolze*, 09-bk-30075 (U.S. Bank. Ct. E.D. Tenn. 2009).

9. Defendant **Centurion Asset Management, Inc.** is located at 101 Convention Drive, Suite 701, Las Vegas, Nevada 89109. CAM was incorporated in Nevada on February 13, 2003. CAM has never been registered in any capacity with the Commission. During the relevant time, Bolze acted as CAM's agent.

#### **RELIEF DEFENDANT**

10. Relief Defendant **Advanced Trading Services, Inc.** also is located at 101 Convention Drive, Suite 701, Las Vegas, Nevada 89109. ATS was incorporated in Nevada on November 1, 2001 and was placed in default by the Nevada Secretary of State on December 1, 2008. ATS has never been registered in any capacity with the CFTC. It appears that Bolze held himself out as President of ATS and operated ATS as a commodity pool.

### **IV. FACTS**

#### **A. Statutory Background**

11. A "commodity pool" is defined in Commission Regulation 4.10(d)(1), 17 C.F.R. § 4.10(d)(1) (2008), as any investment trust, syndicate or similar form of enterprise engaged in the business of investing its pooled funds in trading commodity futures and/or commodity options.

12. A "commodity pool operator" is defined in Section 1a(5) of the Act, 7 U.S.C. § 1(a)(5) (2006), as any person engaged in a business that is of the nature of an investment trust, syndicate, or similar form of enterprise, and who, in connection therewith, solicits, accepts or receives from others, funds, securities, or property, either directly or through capital contributions, the sale of stock or other forms of securities or otherwise, for the purpose of trading in any commodity for future delivery on or subject to the rules of any contract market.

13. An “associated person of a commodity pool operator” is defined in Commission Regulation 1.3(aa)(3), 17 C.F.R. § 1.3(aa)(3) (2008), in relevant part, as any natural person who is associated with a CPO as: a partner, officer, employee, consultant or agent to a CPO (or any natural person occupying a similar status or performing similar functions), in any capacity which involves the solicitation of funds, securities or property for a participation in a commodity pool.

14. A “participant” is defined in Commission Regulation 4.10(c), 17 C.F.R. § 4.10(c) (2008), as any person who has any direct financial interest in a commodity pool.

**B. Background of the Pool**

15. From the time Bolze and CAM began operating ATS (the “commodity pool”), they attracted at least 100 pool participants to entrust approximately \$20 million to Defendants to be pooled with the funds of others and used to trade commodity futures contracts. Specifically, Bolze solicited approximately 40 customers residing in Tennessee and other areas of the United States. Two individuals, residing in Mallorca, Spain and working under Bolze’s direction, solicited approximately 60 pool participants who reside in various countries, including Spain, France, the United Kingdom, Maldives and Turkey.

16. After individuals expressed an interest in investing in the pool, Defendants sent them an Investor’s Agreement (“Agreement”) that set forth the terms of the investment. The Agreement allowed the pool participants to withdraw all or part of their investment with CAM at any time without restriction and provided that CAM should be provided ten days from the date it receives notice to deliver the participant’s investment.

17. Defendants instructed pool participants to send their funds for investment in CAM to a Bank of America account number ending with 1687, in the name of CAM, and to mail their completed account application to CAM, PO Box 27740, Las Vegas, Nevada 89126-7740.

**C. Fraudulent Misrepresentations and Omissions by Bolze and CAM**

18. During the relevant period, Bolze made oral misrepresentations and failed to disclose material facts to prospective pool participants regarding the profitability of CAM. Specifically, Bolze represented to prospective pool participants that the pool was generating an annual profit of approximately 15 to 20 per cent.

19. Bolze failed to tell prospective pool participants that in 2001, he pleaded guilty in the Sevier County, Tennessee, Criminal Court to four counts of failure to file sales tax returns and failure to pay sales tax and was sentenced to six years in prison for those offenses. The court, however, suspended his prison sentence and ordered him to be placed on supervised probation and fined \$1,000.

20. The Agreement that Defendants entered into with pool participants identified Michael L. Potter (“Potter”) as the President of CAM and the officer executing the Agreement on behalf of CAM. In fact, Potter was only a temporary nominee whose name was submitted as CAM’s president solely for purposes of incorporating CAM with the Nevada Secretary of State’s office. Potter’s name was to be removed from incorporation documents within 30 days, after CAM submitted its permanent officers and directors to the Nevada Secretary of State. Potter never authorized Defendants to use his name in connection with any contracts executed by CAM or the conducting of any business by CAM.

**D. Issuance of False Statements to Pool Participants**

21. During the relevant period, Bolze directed an individual who provided website services to set up a website for Defendants entitled [www.thecampartnership.com](http://www.thecampartnership.com). After the website was set up, Defendants provided individual pool participants with passwords that enabled them to access their respective “pool accounts” and determine the value of their

“account balances” via the website. Through this website, Defendants caused false statements to be issued to pool participants. Specifically, Bolze provided the website operator with information that falsely depicted the account balances of the individual pool participants. The account statements received by pool participants typically showed that the pool earned an annual profit of approximately 15 to 18 per cent.

22. Defendants also provided some pool participants with annual “invoices” representing the balances in their respective accounts and the management fees paid to Defendants. These invoices were either mailed to pool participants or electronically transmitted to them and falsely depicted the individual pool participants’ account balances.

23. Defendants distributed fictitious account statements to participants. At least one commodity pool participant received an account statement from Defendants that purported to be a July 1, 2008 daily account statement for a commodity account that ATS maintained at a futures commission merchant (“FCM”). In fact, this account statement was fictitious because while ATS maintained a commodity account at that FCM, the FCM never issued a July 1, 2008 daily account statement for ATS’s account and the account balances were false.

**E. The Pool’s Actual Commodity Trading Performance Record**

24. Despite Bolze’s representations to pool participants that he was pooling their funds to trade commodities on their behalf, Bolze opened at least two commodity trading accounts at a registered FCM in the name of ATS and represented to the FCM that the monies in the trading accounts were ATS’s own funds and that the monies did not represent the investment of any other individuals or companies. On information and belief, the two trading accounts were funded with pool participants’ funds. Bolze also opened at least one trading account in his own name at an FCM.

25. Bolze opened ATS's first account at the FCM on March 4, 2002. That account was active from March 2002 through December 2008 and never carried an account balance in excess of \$250,000. The Defendants typically traded Standard and Poor's ("S&P") 500 stock index futures contracts and NASDAQ 100 futures contracts. Over the life of the account, the account incurred cumulative losses of \$794,889. More specifically, the account realized trading losses of: \$47,338 in 2002; \$118,318 in 2003; \$128,373 in 2004; \$127,105 in 2005; \$24,182 in 2006; \$324,138 in 2007; and \$25,434 in 2008. Bolze withdrew all but approximately \$500 from the account in November 2008, and the account currently carries a negligible balance.

26. Bolze opened ATS's second commodity trading account at the FCM in September 2003. That account was active from September 2003 through June 2008 and similarly traded S&P 500 futures contracts and NASDAQ 100 futures contracts. Over the life of the account, the account incurred cumulative trading losses of \$27,728. In particular, the account realized trading losses of: \$3,595 in 2003; \$8,197 in 2004; \$15,786 in 2005; and \$150 in 2008. The account did no futures trading in 2006 and 2007 and currently carries a negligible balance.

**F. Defendants' Inability to Repay Pool Participants**

27. Since approximately November 2008, pool participants have tried to contact the Defendants in order to withdraw funds from their accounts. Bolze initially told pool participants that withdrawals could not be made since Bolze invested the pools' funds in Treasury Inflation Protected Securities ("TIPS") that had not matured. Bolze subsequently told pool participants that they could not withdraw their funds because the pools' funds were invested in Barrier Notes that had not matured. Since late December 2008, pool participants have been unable to contact Bolze and have been unable to withdraw their respective investments in the pool.

28. On information and belief, in that the Defendants solicited and received approximately \$20 million in pool participation interests, the Defendants reported profits to participants, but the Defendants trading accounts lost money and never carried an account balance in excess of \$250,000, the Defendants have misappropriated participant funds for their own benefit and operated the commodity pool in a manner akin to a Ponzi scheme, using newly received participant funds to pay profits and withdrawals to participants.

**V. VIOLATIONS OF THE COMMODITY EXCHANGE ACT**

**COUNT I**

**Violations of Section 4b of the Act and the Act as Amended by the CRA: Futures Fraud**

29. The allegations set forth in paragraphs 1 through 28 are re-alleged and incorporated herein.

30. Sections 4b(a)(2)(i)-(iii) of the Act, 7 U.S.C. §§ 6b(a)(2)(i)-(iii) (2006), make it unlawful for any person to cheat or defraud or attempt to cheat or defraud; or willfully make or cause to be made to other persons false reports or statements, or willfully enter or cause to be entered for other persons false records; or willfully deceive or attempt to deceive by any means whatsoever other persons in or in connection with orders to make, or the making of, contracts of sale of commodities, for future delivery, made, or to be made, for or on behalf of such other persons where such contracts for future delivery were or may have been used for (a) hedging any transaction in interstate commerce in such commodity, or the produce or byproducts thereof, or (b) determining the price basis of any transaction in interstate commerce in such commodity, or (c) delivering any such commodity sold, shipped or received in interstate commerce for the fulfillment thereof.

31. Sections 4b(a)(1)(A)-(C) of the Act as amended by the CRA, to be codified at 7 U.S.C. §§ 6b(a)(1)(A)-(C), make it unlawful for any person, in or in connection with any order to make, or the making of, any contract of sale of any commodity in interstate commerce or for future delivery that is made, or to be made, on or subject to the rules of a designated contract market, for or on behalf of any other person – (A) to cheat or defraud or attempt to cheat or defraud the other person; (B) willfully to make or cause to be made to the other person any false report or statement or willfully to enter or cause to be entered for the other person any false record; or (C) willfully to deceive or attempt to deceive the other person by any means whatsoever in regard to any order or contract or the disposition or execution of any order or contract, or in regard to any act of agency performed, with respect to any order or contract for the other person.

32. During the relevant period, Bolze and CAM violated Sections 4b(a)(2)(i) and (iii) of the Act, 7 U.S.C. §§ 6b(a)(2)(i) and (iii) (2006), with respect to acts occurring before June 18, 2008, and violated Sections 4b(a)(1)(A) and (C) of the Act as amended by the CRA, to be codified at 7 U.S.C. §§ 6b(a)(1)(A) and (C), with respect to acts occurring on or after June 18, 2008, in that they cheated or defrauded or attempted to cheat or defraud and willfully deceived or attempted to deceive pool participants by: misrepresenting the pool's profitability when soliciting prospective customers, failing to inform prospective customers about Bolze's criminal conviction, causing false statements to be issued to pool participants that misrepresented the balance of their respective interests in the pool, falsely representing that an individual who agreed to be CAM's nominee president solely for purposes of incorporation was, in fact, CAM's

President and duly authorized to execute Agreements on CAM's behalf and transact business for CAM, and misappropriating participant funds for their personal benefit.

33. Bolze and CAM also violated Section 4b(a)(2)(ii) of the Act, 7 U.S.C. § 6b(a)(2)(ii) (2006), with respect to acts occurring before June 18, 2008, and violated Sections 4b(a)(1)(B) of the Act as amended by the CRA, to be codified at 7 U.S.C. § 6b(a)(1)(B), with respect to acts occurring on or after June 18, 2008, in that they cheated or defrauded or attempted to cheat or defraud pool participants by willfully making or causing to be made false reports to the pool participants, who invested money with Defendants to trade commodity futures contracts.

34. Defendants engaged in this conduct in or in connection with orders to make, or the making of, contracts of sale of commodities, for future delivery, made, or to be made, for or on behalf of such other persons where such contracts for future delivery were or may have been used for (a) hedging any transaction in interstate commerce in such commodity, or the produce or byproducts thereof, (b) determining the price basis of any transaction in interstate commerce in such commodity, or (c) delivering any such commodity sold, shipped or received in interstate commerce for the fulfillment thereof.

35. Bolze directly or indirectly controlled CAM and did not act in good faith or knowingly induced, directly or indirectly, the acts constituting CAM's violations alleged in this count. Bolze is thereby liable for CAM's violations of Sections 4b(a)(2)(i)-(iii) of the Act, 7 U.S.C. §§ 6b(a)(2)(i)-(iii) (2006), with respect to acts occurring before June 18, 2008, and for CAM's violations of Sections 4b(a)(1)(A)-(C) of the Act as amended by the CRA, to be codified at 7 U.S.C. §§ 6b(a)(1)(A)-(C), with respect to acts occurring on or after June 18, 2008, as a controlling person, pursuant to Section 13(b) of the Act, 7 U.S.C. § 13c(b) (2006).

36. Bolze was acting as an agent of CAM when he violated the Act and, therefore, CAM, as Bolze's principal, is liable for Bolze's violations of Sections 4b(a)(2)(i)-(iii) of the Act, 7 U.S.C. §§ 6b(a)(2)(i)-(iii) (2006), with respect to acts occurring before June 18, 2008, and for Bolze's violations of Sections 4b(a)(1)(A)-(C) of the Act as amended by the CRA, to be codified at 7 U.S.C. §§ 6b(a)(1)(A)-(C), with respect to acts occurring on or after June 18, 2008, pursuant to Section 2(a)(1)(B) of the Act, 7 U.S.C. § 2(a)(1)(B) (2006).

37. Each material misrepresentation or omission, each false report or statement, and each misappropriation made during the relevant time period, including but not limited to those specifically alleged herein, is alleged as a separate and distinct violation of Sections 4b(a)(2)(i)-(iii) of the Act, 7 U.S.C. §§ 6b(a)(2)(i)-(iii) (2006), with respect to acts occurring before June 18, 2008, and a violation of Sections 4b(a)(1)(A)-(C) of the Act as amended by the CRA, to be codified at 7 U.S.C. §§ 6b(a)(1)(A)-(C), with respect to acts occurring on or after June 18, 2008, the effective date of the CRA.

## COUNT II

### Violations of Section 4o(1) of the Act: Fraud by a CPO and by an AP of a CPO

38. The allegations set forth in paragraphs 1 through 28 are re-alleged and incorporated herein.

39. During the relevant time period, CAM acted as a CPO in that it engaged in a business that is of the nature of an investment trust, syndicate, or similar form of enterprise and in connection therewith, has solicited, accepted or received funds, securities or property from others for the purpose of trading in any commodity for future delivery on or subject to the rules of any contract market or derivatives transaction execution facility.

40. Bolze acted as an AP of a CPO in that he solicited funds for CAM and supervised other persons so engaged.

41. During the relevant period, CAM and Bolze violated Section 4o(1) of the Act, 7 U.S.C. § 6o(1) (2006), in that as a CPO and an AP of a CPO, they directly or indirectly employed or are employing a device, scheme, or artifice to defraud commodity pool participants, or have engaged or are engaging in transactions, practices or a course of business which operated as a fraud or deceit upon commodity pool participants by: misrepresenting the pool's profitability when soliciting prospective customers, failing to inform prospective customers about Bolze's criminal conviction, causing false statements to be issued to pool participants that misrepresented the balance of their respective interests in the pool, falsely representing that an individual who agreed to be CAM's nominee president solely for purposes of incorporation was, in fact, CAM's President and duly authorized to execute Agreements on CAM's behalf and transact business for CAM, and misappropriating participant funds for their own benefit.

42. Such acts were effected by use of the mails and other means or instrumentalities of interstate commerce, directly or indirectly, to engage in the business of a CPO or AP of a CPO.

43. Bolze, directly or indirectly controlled CAM and did not act in good faith or knowingly induced, directly or indirectly, the acts constituting CAM's violations alleged in this count. Bolze is thereby liable for CAM's violations of Section 4o(1) of the Act, 7 U.S.C. § 6o(1) (2006), pursuant to Section 13(b) of the Act, 7 U.S.C. § 13c(b) (2006).

44. Bolze was acting as an agent of CAM when he violated the Act and, therefore, CAM, as Bolze's principal, is liable for Bolze's violations of Section 4o(1) of the Act, 7 U.S.C. § 6o(1) (2006), pursuant to Section 2(a)(1)(B) of the Act, 7 U.S.C. § 2(a)(1)(B) (2006).

45. Each act of making false reports, false statements, and material omissions, and each misappropriation that occurred during the relevant time period, including but not limited to those specifically alleged herein, is alleged as a separate and distinct violation of Section 4o(1) of the Act, 7 U.S.C. § 6o(1) (2006).

### **COUNT III**

#### **Violation of Section 4m(1) of the Act: Failure to Register as a CPO**

46. Paragraphs 1 through 28 and 39 through 42 are re-alleged and incorporated herein.

47. With certain exemptions and exclusions not applicable here, all CPOs operating a commodity pool are required to be registered with the Commission pursuant to Section 4m(1) of the Act, 7 U.S.C. § 6m(1) (2006).

48. Section 4m(1) of the Act, 7 U.S.C § 6m(1) (2006), provides that it is unlawful for any CPO, unless registered under the Act, to make use of the mails or any means or instrumentality of interstate commerce in connection with his business as a CPO.

49. As alleged, during the relevant period, CAM acted as a CPO within the meaning of Section 1a(5) of the Act, 7 U.S.C. § 1a(5) (2006), and has used the mails or instrumentalities of interstate commerce in or in connection with a commodity pool as a CPO while failing to register as a CPO, in violation of Section 4m(1) of the Act, 7 U.S.C. § 6m(1) (2006).

50. Bolze directly or indirectly controlled CAM and did not act in good faith or knowingly induced, directly or indirectly, the acts constituting CAM's violations alleged in this count. Bolze is thereby liable for CAM's violations of Section 4m(1) of the Act, 7 U.S.C. § 6m(1) (2006), pursuant to Section 13(b) of the Act, 7 U.S.C. § 13c(b) (2006).

51. Each use of the mails or any means or instrumentality of interstate commerce in connection with its business as a CPO without proper registration during the relevant time period, including but not limited to those specifically alleged herein, is alleged as a separate and distinct violation of Section 4m(1) of the Act, 7 U.S.C. § 6m(1) (2006).

#### **COUNT IV**

##### **Violation of Section 4k(2) of the Act: Bolze's Failure to Register as an AP**

52. Paragraphs 1 through 28 and 39 through 42 are re-alleged and incorporated herein.

53. Bolze solicited prospective participants on behalf of CAM to participate in the pool and supervised other persons so engaged without the benefit of registration as an AP of a CPO in violation of Section 4k(2) of the Act, 7 U.S.C. § 6k(2) (2006).

54. CAM, as principal, allowed Bolze to engage in his solicitation and supervision activities for CAM without the benefit of registration as an AP of a CPO and, therefore, CAM is liable for Bolze's violation of Section 4k(2) of the Act, 7 U.S.C. § 6k(2) (2006), pursuant to Section 2(a)(1)(B) of the Act, 7 U.S.C. § 2(a)(1)(B) (2006).

#### **COUNT V**

##### **Disgorgement of Funds from the Relief Defendant**

55. Paragraphs 1 through 28 are re-alleged and incorporated herein.

56. Defendants Bolze and CAM have defrauded investors in connection with soliciting funds for the trading of commodity futures.

57. The Relief Defendant, ATS, received funds as a result of the Defendants' fraudulent conduct and has been unjustly enriched thereby.

58. ATS has no legitimate entitlement to or interest in all of the funds received as a result of the Defendants' fraudulent conduct.

59. ATS should be required to disgorge funds up to the amount it received from Defendants' fraudulent conduct or the value of those funds that it may have subsequently transferred to third parties.

## **VI. RELIEF REQUESTED**

WHEREFORE, the Commission respectfully requests that this Court, as authorized by Section 6c of the Act, 7 U.S.C. § 13a-1, and pursuant to its own equitable powers:

A. Enter orders finding Bolze and CAM liable for violating Sections 4b(a)(2)(i)-(iii) of the Act, 7 U.S.C. §§ 6b(a)(2)(i)-(iii) (2006), with respect to acts occurring before June 18, 2008, and for violating Sections 4b(a)(1)(A)-(C) of the Act as amended by the CRA, to be codified at 7 U.S.C. §§ 6b(a)(1)(A)-(C), with respect to acts occurring on or after June 18, 2008; and Sections 4k(2), 4m(1) and 4o(1) of the Act, 7 U.S.C. §§ 6k(2), 6m(1) and 6o(1) (2006);

B. Enter an order of permanent injunction prohibiting Defendants, and any other person or entity associated with them, from engaging in conduct violative of the Sections of the Act and Sections of the Act as amended by the CRA that they have been alleged to have violated;

C. Enter orders of preliminary and permanent injunction enjoining Defendants and all persons insofar as they are acting in the capacity of their agents, servants, employees, successors, assigns, and attorneys, and all persons insofar as they are acting in active concert or participation with them who receive actual notice of such order by personal service or otherwise, from engaging, directly or indirectly, in any activity related to trading in any commodity, as that

term is defined in Section 1a(4) of the Act, 7 U.S.C. § 1a(4) (“commodity interest”), including but not limited to, the following:

1. Trading on or subject to the rules of any registered entity, as that term is defined in Section 1a(29) of the Act, 7 U.S.C. § 1a(29);
2. Engaging in, controlling or directing the trading for any commodity interest account for or on behalf of any other person or entity, whether by power of attorney or otherwise;
3. Soliciting or accepting any funds from any person in connection with the purchase or sale of any commodity interest;
4. Entering into any commodity interest transactions for his own personal account, for any account in which he has a direct or indirect interest and/or having any commodity interests traded on his behalf;
5. Engaging in any business activities related to commodity interest trading; and
6. Applying for registration or claiming exemption from registration with the Commission in any capacity, and engaging in any activity requiring such registration or exemption from registration with the Commission, except as provided for in Regulation 4.14(a)(9), 17 C.F.R. § 4.14(a)(9) (2008), or acting as a principal, agent or any other officer or employee of any person registered, exempted from registration or required to be registered with the Commission, except as provided for in Regulation 4.14(a)(9), 17 C.F.R. § 4.14(a)(9) (2008).

D. Enter an order pursuant to Section 6c(a) of the Act restraining Defendants and all persons insofar as they are acting in the capacity of Defendants’ agents, servants, successors, employees, assigns, and attorneys, and all persons insofar as they are acting in active concert or participation with them who receive actual notice of such order by personal service or otherwise, from directly or indirectly:

1. Destroying, mutilating, concealing, altering or disposing of any books and records, documents, correspondence, brochures, manuals, electronically stored data, tape records or other property of Defendants and the Relief Defendant, wherever located, including all such records concerning Defendants’ and Relief Defendant’s business operations;

2. Refusing to permit authorized representatives of the Commission to inspect, when and as requested, any books and records, documents, correspondence, brochures, manuals, electronically stored data, tape records or other property of Defendants and the Relief Defendant, wherever located, including all such records concerning Defendants' and the Relief Defendant's business operations; and
3. Withdrawing, transferring, removing, dissipating, concealing or disposing of, in any manner, any funds, assets, or other property, wherever situated, including but not limited to, all funds, personal property, money or securities held in safes, safety deposit boxes and all funds on deposit in any financial institution, bank or savings and loan account, whether domestic or foreign, held by, under the control, or in the name of the Defendants and the Relief Defendant;

E. Enter an order directing that Defendants, Relief Defendant, and any successors thereof, provide the Plaintiff immediate and continuing access to their books and records, make an accounting to the Court of all of their assets and liabilities, together with all funds they received from and paid to investors and other persons in connection with commodity futures or options transactions or purported commodity futures transactions, including the names, mailing addresses, email addresses and telephone numbers of any such persons from whom they received such funds from January 2002 to the date of such accounting, and all disbursements for any purpose whatsoever of funds received from pool participants, including salaries, commissions, fees, loans and other disbursements of money and property of any kind, from January 2002 to and including the date of such accounting. At a minimum, the accounting should include a chronological schedule of all cash receipts and cash disbursements. In addition, each transaction shall be classified as business or personal. All business transactions shall disclose the business purpose of the transaction. The accounting shall be provided in an electronic format such as Quicken, Excel, or other accounting or electronic format spreadsheet. In addition, the Defendants and the Relief Defendant shall supply true and accurate copies of any balance sheets,

income statements, statement of cash flow, or statement of ownership equity previously prepared for the Defendants' and Relief Defendant's business(es);

F. Enter an order requiring Defendants immediately to identify and provide an accounting in the same manner as described above, for all assets and property that they currently maintain outside the United States, including, but not limited to, all funds on deposit in any financial institution, futures commission merchant, bank, or savings and loan accounts held by, under the control of, or in the name of Dennis R. Bolze, Centurion Asset Management, Inc., and Advanced Trading Services, Inc., or their nominees, whether held jointly or otherwise, and requiring them to repatriate all funds held in such accounts by paying them to the Clerk of the Court, or as otherwise ordered by the Court, for further disposition in this case;

G. Enter an order requiring Defendants, the Relief Defendant, and any third party transferee and/or successors thereof, to disgorge to any officer appointed or directed by the Court, all benefits received including, but not limited to, salaries, commissions, loans, fees, revenues and trading profits derived, directly or indirectly, from acts or practices which constitute violations of the Act as described herein, including pre-judgment interest;

H. Enter an order requiring Defendants to make restitution by making whole each and every pool participant whose funds were received or utilized by him in violation of the provisions of the Act as described herein, including pre-judgment interest;

I. Enter an order directing the Defendants and Relief Defendant and any successors thereof, to rescind, pursuant to such procedures as the Court may order, all contracts and agreements, whether implied or express, entered into between them and any of the investors whose funds were received by them as a result of the acts and practices which constituted violations of the Act and Regulations, as described herein;

J. Enter an order requiring Defendants to pay civil monetary penalties under the Act, to be assessed by the Court, in amounts of not more than the higher of (1) triple the monetary gain to Defendants for each violation of the Act and Regulations or 2) \$120,000 for each violation of the Act on or before October 22, 2004, \$130,000 for each violation of the Act from October 23, 2004 through October 22, 2008, and \$140,000 for each violation of the Act on or after October 23, 2008;

K. Enter an order requiring Defendants to pay costs and fees as permitted by 28 U.S.C. §§ 1920 and 2412(a)(2) (1994); and

L. Enter an order providing such other and further relief as this Court may deem necessary and appropriate under the circumstances.

Date: March 3 2009

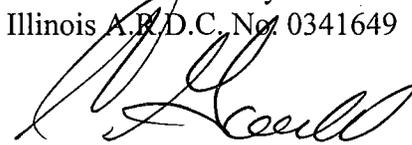
Respectfully submitted,



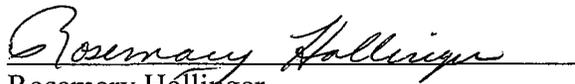
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