UNITED STATES OF AMERICA
Before the
COMMODITY FUTURES TRADING COMMISSION

WALTER K FELDMEIER and KANAKO FELDMEIER, Trustees of the Feldmeier Family Trust, Complainants	*	
v.	*	CFTC Docket No. 04-R34
UDO ROTMISTRENKO, and RITTMEISTER CAPITAL, Respondents.	*	

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DEFAULT ORDER

Udo Rotmistrenko (NFA identification number 263927) and Rittmeister Capital (300565) have failed to file answers and are in default. By defaulting, Rotmistrenko and Rittmeister Capital are deemed to have waived any affirmative defenses and to have admitted the allegations in the complaint. Thus, it is concluded that complainants have established that respondents defrauded complainants in violation of Sections 4(a) and 4o(1) of the Commodity Exchange Act; and that these multiple violations proximately caused $67,000 in damages. Accordingly, Udo Rotmistrenko and Rittmeister Capital are ORDERED to pay to complainants $67,000; plus interest at 2.16 %, compounded annually on $15,000 from February 15, 2000 to the date of payment, on $10,000 from January 30, 2002 to the date of payment, on $2,000 from March 28, 2003 to the date of payment, and on $40,000 from September 22, 2003 to the date of payment; plus $125 in costs for the filing fee. Liability is joint and several.

Complainants have been unable to substantiate an additional $53,000 that they claim that they lost to respondents' fraud. In the event that complainants obtain or discover reliable evidence substantiating any portion of these additional losses, they may file a motion to increase the damage award in this Default Order.

Dated August 4, 2004.

Philip V. McGuire,
Judgment Officer