



U.S. COMMODITY FUTURES TRADING COMMISSION

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ALI FILIPOUR,

Complainant,

v.

MITCHELL BRAD GOLDBERG, MELODY
HEATHER MARKS, SUMMER LEIGH
MOTE and PRESIDENTIAL FX,

Respondents.

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CFTC Docket No. 05-R019

INITIAL DECISION

On April 19, 2007, we issued a proposed initial decision.¹ In it, we made findings and conclusions but, because we took notice of certain facts, the determinations remained tentative until the parties had an opportunity to dispute those facts of which we took notice.² No party has notified us that it intends to dispute these findings. Accordingly, we adopt the findings and conclusions set forth in the Proposed Initial Decision and **ORDER** the following: (1) the complaint is **DISMISSED** with respect to the charges against respondents Summer Leigh Mote and Mitchell Brad Goldberg,³ (2) respondents Melody Heather Marks and Presidential FX shall pay complainant Ali Filipour

¹ Filipour v. Goldberg, CFTC Docket No. 05-R019, 2007 CFTC LEXIS 34 (CFTC Apr. 19, 2007) ("Proposed Initial Decision").

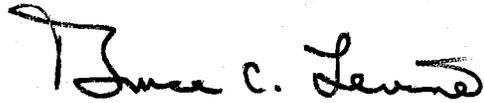
² Id. at *2, n.1, *36 n.87, *55.

³ See id. at *8-12, *51-53.

(a) \$84,550 plus interest accruing from March 2, 2004 at an annual rate of 4.89 percent and (b) \$250 (an amount equal to the filing fee that Filipour paid to initiate this proceeding),⁴ and (3) Presidential shall pay the complainant an additional \$71,160 plus interest accruing from March 2, 2004 at an annual rate of 4.89 percent.

IT IS SO ORDERED.⁵

On this 15th day of May, 2007



Bruce C. Levine
Administrative Law Judge

⁴ See id. at *55 & n.139. Liability for these payments is joint and several.

⁵ All of the above-directed payments shall be completed no later than 50 days after service of this initial decision unless (1) a timely appeal thereof has been perfected pursuant to 17 C.F.R. §12.401 or (2) the Commission, pursuant to 17 C.F.R. §12.403(a), has stayed the effective date of our order. 17 C.F.R. §§12.10(b), 12.407(a).

Any party may appeal this initial decision to the Commission by filing a notice of appeal with the Proceedings Clerk no more than 20 days after the initial decision is served. 17 C.F.R. §§12.10(b), 12.401(a). If no party perfects an appeal and the Commission does not place the case on its own docket for review, the initial decision shall become the final decision of the Commission, without further order by the Commission, 30 days after it is served. 17 C.F.R. §12.314(d).