



U.S. COMMODITY FUTURES TRADING COMMISSION

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THOMAS EDWARD TEJKL, Sr.,
Complainant,

v.

JOHN THOMAS CIARAMELLA;
COMTRUST, INCORPORATED;
EAST COAST COMMODITIES, INC.;
KEVIN ALAN ROSENBERG; and
MITCHELL HOWARD STEIN,
Respondents.

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* CFTC Docket No. 06-R045

DEFAULT ORDER

Mitchell Howard Stein has failed to file an answer to the amended complaint, and thus is in default pursuant to CFTC rule 12.22. Similarly, East Coast Commodities, Incorporated and Kevin Alan Rosenberg have ceased to participate in this proceeding, and thus also are in default pursuant to CFTC rule 12.201(g). The defaults by Stein, Rosenberg and East Coast constitute, among other things, admissions of the allegations in the complaint.¹ Accordingly, it is concluded:

- That Joseph Allen, Kevin Allen Rosenberg, South Coast Commodities, and East Coast Commodities defrauded Thomas Edward Tejkl, in violation of Section 4c(b) of the Commodity Exchange Act and CFTC rule 33.10, by churning his account and by misrepresenting and omitting material facts about the specific costs and risks associated with the trading strategies recommended by South Coast and East Coast.
- That Larry Alan Kahn and Steve Labell aided and abetted the fraud by Allen and South Coast, in violation of Sections 4c(b), 13(a), and 13(b) of the Act, and CFTC rule 33.10.

¹ Default orders against respondents Larry Alan Kahn, Steve Labell, Joseph Allen and South Coast Commodities have become final orders of the Commission. For the sake of clarity the default findings against these respondents are included in the instant default order.

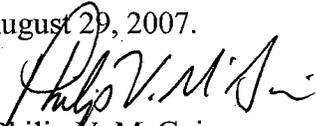
- That Kahn and Labell failed to adequately supervise Allen and South Coast, in violation of CFTC rule 166.3.
- That, pursuant to Section 2(a)(1)(b) of the Commodity Exchange Act, South Coast Commodities is liable for Kahn's, Labell's and Allen's violations, and East Coast Commodities is liable for Rosenberg's violations.
- That Mitchell Howard Stein perpetuated, and aided and abetted, the violations by Allen, Kahn, Labell, Rosenberg, South Coast and East Coast in violation of Sections 4c(b), 13(a), and 13(b) of the Act, and CFTC rule 33.10.
- That Stein's, Kahn's, Labell's, Allen's, Rosenberg's, South Coast's, and East Coast's violations, separately and together, proximately caused \$12,259 in damages.

Accordingly, Mitchell Howard Stein, Kevin Alan Rosenberg, and East Coast Commodities, Incorporated are ordered to pay to Thomas Edward Tejkl reparations of \$12,259; plus interest on that amount at 4.97 %, compounded annually from February 3, 2006, to the date of payment; plus \$125 in costs for the filing fee. Liability is joint and several.

Any motion to vacate this default order must satisfy the appropriate standards set out in CFTC rule 12.23.

This default order shall not establish the liability of the non-defaulting respondents: John Thomas Ciaramella and Comtrust, Incorporated.

Dated August 29, 2007.


Philip V. McGuire,
Judgment Officer