

Commodity Futures Trading Commission  
CEA CASES

**NAME:** AMERICAN COMMODITY BROKERS, INC., AND PHYLLIS C. DEMPSTER

**DOCKET NUMBER:** 160

**DATE:** MAY 29, 1969

**DOCUMENT TYPE:** COMPLAINT

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re: American Commodity Brokers, Inc., and Phyllis C. Dempster, Respondents  
CEA Docket No. 160

Complaint and Notice of Hearing Under the Commodity Exchange Act

There is reason to believe that the respondents have violated the Commodity Exchange Act, as amended (7 U.S.C. 1 et seq.; Public Law 90-258) and the regulations made pursuant thereto. Therefore, this complaint and notice of hearing is issued stating the charges in that respect as follows:

I

Respondent American Commodity Brokers, Inc., is now, and was at all times material herein, a corporation organized and existing under the laws of the State of Michigan, with its principal office at 14500 West Eight Mile Road, Oak Park, Michigan. The said corporation is now, and was at all such times, a registered futures commission merchant under the Commodity Exchange Act, engaged in trading in commodities for future delivery for the accounts of customers and holding for such customers sums of money, representing deposits of margin by and trading profits accruing to such customers.

II

Respondent Phyllis C. Dempster, an individual whose business address is 14500 West Eight Mile Road, Oak Park, Michigan 48200, is now, and was at all times material herein, President of the respondent corporation. At all such times, the operations of the respondent corporation were under the direction and control of respondent Phyllis C. Dempster.

III

As of March 31, 1969, the respondent corporation failed to meet the minimum financial requirements prescribed by section 1.17 of the regulations (34 F.R. 599) issued by the Secretary of Agriculture under the Commodity Exchange Act. According to the report of the respondent corporation's financial condition (Form 1-FR) which it filed with the Commodity Exchange Authority on April 30, 1969, the respondent corporation, as of March 31, 1969, had current liabilities of \$ 34,790.91 and current assets of \$ 21,008.80.

IV

By reason of the facts alleged in this complaint, the respondents violated section 4f of the Commodity Exchange Act (7 U.S.C. 6f, as amended by Public Law 90-258) and section 1.17 of the regulations issued thereunder (34 F.R. 599).

WHEREFORE, it is hereby ordered that this complaint and notice of hearing be served upon the respondents and this proceeding shall be governed by sections 0.1, 0.2, 0.4(b), 0.5 through 0.22, and 0.28 of the rules of practice under the Commodity Exchange Act (17 CFR 0.1,

0.2, 0.4(b), 0.5 through 0.22, 0.28). The respondents will have twenty (20) days after the receipt of this complaint in which to file with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, an answer with an original and four copies, fully and completely stating the nature of the defense and admitting or denying, specifically and in detail, each allegation of this complaint. Allegations not answered will be deemed admitted for the purposes of this proceeding. Failure to file an answer will constitute an admission of all the allegations of this complaint and a waiver of hearing. The filing of an answer in which all of the material allegations of fact contained in the complaint are admitted likewise shall constitute a waiver of hearing unless a hearing is requested. The respondents are hereby notified that unless hearing is waived, a hearing will be held at 10:00 a.m., local time, on July 10, 1969, in Detroit, Michigan, at a place therein to be specified later, before a referee designated to conduct such hearing. At such hearing, the respondents will have the right to appear and show cause, if any there be, why an order should not be made directing that the respondents shall cease and desist from violating the Commodity Exchange Act and the regulations thereunder in the manner described herein.

It is ordered that this complaint and notice of hearing be served on the respondents at least twenty (20) days prior to the date set for hearing.

Done at Washington, D. C.

May 29, 1969

[SEE SIGNATURE IN ORIGINAL]

Richard Lyng

Assistant Secretary

**LOAD-DATE:** June 16, 2008

