

Commodity Futures Trading Commission
CEA CASES

NAME: JEFFREY L. SILVERMAN

DOCKET NUMBER: 210

DATE: MARCH 13, 1973

DOCUMENT TYPE: COMPLAINT

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re: Jeffrey L. Silverman Respondent

CEA Docket No. 210

Complaint and Notice of Hearing Under the Commodity Exchange Act

There is reason to believe that the respondent, Jeffrey L. Silverman, has violated the Commodity Exchange Act (7 U.S.C. 1 et seq.) and this complaint and notice of hearing is issued stating the charges in that respect as follows:

I

The respondent, Jeffrey L. Silverman, an individual whose business address is 141 West Jackson Blvd., Chicago, Illinois, was during the period from July 1969 through October 1970, employed as a solicitor for the firm of Woodstock, Inc., in Chicago, Illinois and was from on or about October 23, 1971 through March 13, 1972, employed as an account executive at Conti-Commodity Services, 2 Broadway, New York, New York. At all times material herein, both Woodstock, Inc. and Conti-Commodity Services, were registered futures commission merchants under the Commodity Exchange Act.

II

During September and October 1970, Donald Stengel, Tom R. and Barbara A. Borgers, and Karoly Tuczai each maintained a commodity futures

account at Woodstock, Inc., and at all times material herein the respondent handled the trading in such accounts.

III

During March 1972, Raymond J. Barbieri and Thomas McGuire each maintained a commodity futures account at Conti-Commodity Services, and at all times material herein the respondent handled the trading in such accounts.

IV

The futures transactions, tabulated below, were in eggs, hogs, and pork bellies futures on or subject to the rules of the Chicago Mercantile Exchange, a duly designated contract market under the Commodity Exchange Act. Such transactions could have been used for (a) hedging transactions in interstate commerce in such commodities or the products or byproducts thereof, or (b) determining the price basis of any transaction in interstate commerce in such commodities, or (c) delivering any such commodities sold, shipped, or received in interstate commerce for the fulfillment of such futures contracts.

V

Acting without the knowledge or consent of the customers listed below, the respondent made unauthorized trades for the said accounts of customers as follows:

See original document-page 2

Customer	Date	Unauthorized Trades
Donald Stengel	10-2-70	Bought 1 Nov. 1970 eggs
Mt. Morris, Ill.	10-2-70	Sold 1 Jan. 1971 eggs
	10-5-70	Bought 1 Dec. 1970 hogs
	10-6-70	Bought 1 Jan. 1971 eggs
	10-6-70	Sold 1 Nov. 1970 eggs
Tom R. and Barbara A.	9-30-70	Bought 1 Nov. 1970 eggs
	10-1-70	Bought 1 Nov. 1970 eggs
Borgers	10-1-70	Bought 1 Nov. 1970 eggs
Arcata, Calif.	10-1-70	Sold 1 Jan. 1971 eggs
	10-1-70	Sold 1 Jan. 1971 eggs
	10-2-70	Sold 1 Jan. 1971 eggs
	10-6-70	Bought 3 Jan. 1971 eggs
	10-6-70	Sold 3 Nov. 1970 eggs
Karoly Tuczai	10-1-70	Bought 1 Nov. 1970 eggs
Rochester,	10-1-70	Sold 1 Jan. 1971 eggs
New York	10-2-70	Bought 1 Nov. 1970 eggs
	10-2-70	Sold 1 Jan. 1971 eggs
	10-6-70	Bought 2 Jan. 1971 eggs
	10-6-70	Sold 2 Nov. 1970 eggs
Raymond J. Barbieri	3-13-72	Sold 2 May 1972 pork bellies
Edison, New Jersey		
Thomas McGuire	3-10-72	Bought 2 May 1972 pork bellies
New York,	3-13-72	Sold 2 May 1972 pork bellies
New York	3-13-72	Sold 2 May 1972 pork bellies

VI

By reason of the facts alleged in this complaint, the respondent wilfully violated section 4b of the Commodity Exchange Act (/ U.S.C. 6b).

WHEREFORE, it is hereby ordered that this complaint and notice of hearing be served upon the respondent 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 respondent 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 three 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 respondent is hereby notified that unless hearing is waived, a hearing will be held in Chicago, Illinois, at a place therein and date to be specified later, before a referee designated to conduct such hearing. At such hearing, the respondent will have the right to appear and show cause, if any there be, why an appropriate order should not be issued in accordance with the Commodity Exchange Act, (1) prohibiting the respondent from trading on or subject

to the rules of any contract market, and directing that all contract markets refuse all trading privileges to the respondent for such period of time as may be determined, and (2) directing that the respondent shall cease and desist from violating the Act and regulations in the manner alleged herein.

Done at Washington, D.C.

March 13, 1973.

[SEE SIGNATURE IN ORIGINAL]

CLAYTON YEUTTER

Assistant Secretary

LOAD-DATE: June 16, 2008

