

Commodity Futures Trading Commission
CEA CASES

NAME: GEORGE SIROTA AND SONS, GEORGE SIROTA, NORMAN L. SIROTA, BENJAMIN SIROTA, HARRY A. ASPINWALL, AND DYKE CULLUM

CITATION: 13 Agric. Dec. 1

DOCKET NUMBER: 54

DATE: JANUARY 13, 1954

DOCUMENT TYPE: ORDER

AGRICULTURE DECISIONS

BEFORE THE SECRETARY OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

(No. 3754)

In re GEORGE SIROTA AND SONS, GEORGE SIROTA, NORMAN L. SIROTA, BENJAMIN SIROTA, HARRY A. ASPINWALL, AND DYKE CULLUM. CEA Docket No. 54. Decided January 13, 1954.

Remand of Proceeding to Office of Hearing Examiner

Since the facts alleged in complainant's motion and the reply thereto had not been introduced in evidence in the proceeding and it seems appropriate in the public interest that evidence should be received as to whether the sanction ordered against George Sirota and Sons should apply to Sirota and Company, accordingly, the proceeding is referred back to the Office of the Hearing Examiner for the purpose of obtaining evidence on this issue by hearing or stipulation or both.

Mr. Benj. M. Holstein for Commodity Exchange Authority. *Mr. Donald Marks* of Baer, Marks, Friedman, Berliner & Klein, of New York, New York, for respondents.

Decision by Thomas J. Flavin, Judicial Officer

ORDER

On July 31, 1953, an order was entered in this proceeding providing for sanctions applicable to all respondents including suspension of the registration under the act of George Sirota and Sons as a futures commission merchant. On August 18, 1953, the complainant filed a motion to have the order clearly state that the suspension applies to the registration of Sirota and Company. The motion recites that Sirota and Company, a partnership, was formed after the referee's report was issued in this proceeding recommending sanctions against the respondents and that it consists of the four partners who comprised George Sirota and Sons *plus* an additional partner.

Pending action upon the complainant's motion, the order of July 31, 1953, was stayed as to the suspension of the registration of George Sirota and Sons. The Sirota respondents filed a reply to the complainant's motion.

The facts alleged in the complainant's motion and in the reply thereto have not been introduced in evidence in the proceeding and it seems appropriate in the public interest that evidence should

be received as to whether the sanction ordered against George Sirota and Sons should apply to Sirota and Company. Accordingly, the proceeding is referred

back to the Office of Hearing Examiners for the purpose of obtaining evidence on this issue by hearing or stipulation or both.

LOAD-DATE: June 8, 2008

