

Commodity Futures Trading Commission
CEA CASES

NAME: MOUSTAPHA AHMAD TABBARA

DOCKET NUMBER: 132

DATE: NOVEMBER 15, 1965

DOCUMENT TYPE: COMPLAINT

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re: Moustapha Ahmad Tabbara, Respondent
CEA Docket No. 132

Complaint and Notice of Hearing Under Section 6(b) of the Commodity Exchange Act

There is reason to believe that the respondent, Moustapha Ahmad Tabbara, has violated the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), hereinafter referred to as the Act, and the rules and regulations made pursuant thereto (17 CFR, Part 1), and in accordance with the provisions of section 6(b) of the Act (7 U.S.C. 9), this complaint and notice of hearing is issued stating the charges in that respect as follows:

I

Respondent, Moustapha Ahmad Tabbara, is an individual whose addresses are Ave Angelica, 1275, Apartment 46, Sao Paulo, Brazil, and 10 Rue Surock, Beirut, Lebanon.

II

The Board of Trade of the City of Chicago, hereinafter referred to as the Chicago Board of Trade, and The Board of Trade of Kansas City, Mo., hereinafter referred to as the Kansas City Board of Trade, are now, and were at all times material to this complaint, duly designated contract markets under the Act.

III

During the period September 14, 1964, through July 29, 1965, the respondent made trades in wheat futures on the Chicago Board of Trade and the Kansas City Board of Trade in accounts carried in his own name and the names of Fouad Tabbara, Ali Tabbara, and Mrs. Widad Tabbara. All transactions in such accounts during such period belonged to or were controlled by the respondent,

IV

On each day during the period September 14, 1964, through July 29, 1965, the respondent held or controlled net short open contract positions in wheat futures on the Chicago Board of Trade in the above-named accounts, which positions exceeded 200,000 bushels in a single future. The respondent was, therefore, in reporting status during said period and was required to report to the Commodity Exchange Authority with respect to all transactions entered into and all open contract positions held or controlled by him, in all wheat futures on all contract markets during said period, as provided in section 4i of the Act (7 U.S.C. 6i) and sections 15.01, 15.02, 15.03, 18.00, 18.01 and 18.03 of the regulations thereunder (17 CFR 15.01, 15.02, 15.03, 18.00, 18.01, 18.03).

V

On 29 business days within the period specified in paragraph IV hereof, while respondent was in reporting status as therein described, transactions in wheat futures on the Chicago Board of Trade or the Kansas City Board of Trade were executed for accounts owned or controlled by the respondent. However, the respondent failed or refused to submit reports to the Commodity Exchange Authority with respect to such transactions and his positions on such dates, in willful violation of the aforesaid sections of the Act and the regulations thereunder.

VI

On 33 business days within the period specified in paragraph IV hereof, while respondent was in reporting status as therein described, respondent filed reports with the Commodity Exchange Authority with respect to trading and positions in wheat futures on the Chicago Board of Trade and the Kansas City Board of Trade in accounts owned or controlled by respondent. However, such reports did not include all transactions and positions in wheat futures in said accounts. By reason thereof the respondent filed false reports with the Commodity Exchange Authority, in willful violation of the aforesaid sections of the Act and the regulations thereunder.

WHEREFORE, it is hereby ordered that this complaint and notice of hearing be served upon the said respondent. 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 five copies, fully and completely stating the nature of the defense and admitting or denying, specifically and in detail, each material and relevant allegation of this complaint. Allegations not answered will be deemed admitted for the purpose of this proceeding. Failure to file an answer will constitute an admission of all the material allegations of this complaint and waiver of hearing. The respondent is hereby notified that unless hearing is waived, either expressly or by failure to file an answer and request a hearing, a hearing will be held at 10:00 a.m., local time, on February 1, 1966, in Room 149W Administration Building, United States Department of Agriculture, Washington, D. C., 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 order should not be made directing that all contract markets refuse all trading privileges to the respondent for such period of time as may be determined.

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

Done at Washington, D. C., on
November 15, 1965.

[SEE SIGNATURE IN ORIGINAL]

Assistant Secretary

LOAD-DATE: June 12, 2008

