

Commodity Futures Trading Commission
CEA CASES

NAME: CHARLES VOJTEK

DOCKET NUMBER: 43

DATE: FEBRUARY 4, 1948

DOCUMENT TYPE: COMPLAINT

UNITED STATES OF AMERICA

BEFORE THE SECRETARY OF AGRICULTURE

In re Charles Vojtek, Respondent

CE-A Docket No. 43

Complaint and notice of hearing under Section 6(b) of the Commodity Exchange Act

The Secretary of Agriculture has reason to believe that the respondent, Charles Vojtek, has violated the Commodity Exchange Act (7 U.S.C. 1-17a) and the rules and regulations promulgated thereunder. In accordance with Section 6(b) of the said Act, this complaint is issued alleging as follows:

1.

The respondent, Charles Vojtek, is an individual residing in Chicago, Illinois. At all times material to this complaint, the said respondent was registered with the Secretary of Agriculture as a futures commission merchant under the provisions of the Commodity Exchange Act, and was a member of the Chicago Open Board of Trade, a duly designated contract market under the provisions of the said Act.

2.

The said respondents on or about June 7, June 10, June 13, July 3, July 7, and July 9, 1947, in connection with orders to make contracts of sale of commodities for future delivery on the Chicago Open Board of Trade for one S. Bristol, a customer, wilfully deceived the said customer with respect to the execution and disposition of such orders and contracts by falsely representing to him that there were in existence open trades on his behalf, all in violation of Section 4b(C) of the Commodity Exchange Act.

3.

The said respondent, on or about June 20, June 21, and June 27, 1947, in connection with orders to make contracts of sale of commodities for future delivery on the Chicago Open Board of Trade on behalf of one P. Tulupan, a customer, wilfully and knowingly and without the prior consent of the said customer, became the buyer with respect to the selling orders of the said customer and became the seller with respect to the buying orders of the said customer, all in violation of Sec. 4b(D) of the Commodity Exchange Act.

4.

The said respondent, on or about May 15, May 27, June 12, and June 17, 1947, acting as a futures commission merchant, accepted orders from one S. Bristol, a customer, for the purchase or sale of commodities for future delivery and received from the said customer various sums of money in the total amount of \$ 450,00 to margin and secure the trades and contracts of the said customer. The said respondent failed to treat and deal with such money as belonging to said

customer, in that he converted the said sum of money to his own use, in violation, of Sec. 4d(2) of the Commodity Exchange Act.

5.

The said respondent, on or about February 17, February 18, February 19, February 21, February 24, February 25, February 27, February 28, March 3, March 5, March 7, March 8, March 11, March 12, March 13, March 14, March 17, and March 18, 1947, accepted orders from one S. Lust, a customer, for the purchase or sale of commodities for future delivery and in connection

therewith falsely reported to the said customer that such orders had been executed on a contract market, namely, the Chicago Open Board of Trade, whereas in truth and in fact such orders had not been executed, all in violation of Sec. 4h(2) of the Commodity Exchange Act.

7.

The said respondent, on or about June 23, June 25, June 27, June 28, June 30, July 2, and July 3, 1947, having theretofore executed on the Chicago Open Board of Trade an order for the purchase of a commodity for future delivery on behalf of one A. Caposto, a customer, and having theretofore become responsible for money received from the said customer to margin and secure such purchase contract and for money accruing to such customer as a result of such purchase contract, used such money to margin or guarantee his own, the respondent's, trades and contracts, all in violation of Sec. 4d(2) of the Commodity Exchange Act.

Therefore, the said respondent, Charles Vojtek, is hereby notified to be and appear at a hearing to be held at 10:00 o'clock, a.m., c.s.t., on the 16th day of March, 1948, in Room 1200, Board of Trade Building, 145 W. Jackson Boulevard, Chicago, Illinois, before a referee designated to conduct such hearing and then and there 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 the Secretary of Agriculture may determine.

The respondent will have 20 days after the receipt of this notice of hearing in which to file with the Secretary of Agriculture an answer, in triplicate, 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 that are not answered will be deemed admitted for the purpose of this proceeding.

It is ordered that this complaint and notice of hearing be served on the respondent by delivery of a true copy thereof to him by an employee of the Department of Agriculture or by registered mail at least 20 days prior to the date set for hearing.

Done at Washington, D. C., this

4th day of Feb., 1948

(s) Clinton P. Anderson

Clinton P. Anderson

Secretary of Agriculture

LOAD-DATE: June 16, 2008

