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R.M. Bolen, Complainant	)	
v.	)	
Paul Brittain, Jr., Brittain-Lizzo Trading d/b/a BLT Financial Group, L.L.C., First Options of Chicago, Inc., and Michael Lewis Weisbart, Respondents	)	CFTC Docket No. 99-R079

ORDER OF DISMISSAL ON SETTLEMENT

The parties in this matter reached a settlement over two months ago after a conference call mediated by the Judgment Officer in November and numerous additional telephone calls with each side in December. The amount of the settlement was agreed to by both sides in conversations with the undersigned. Respondent First Options' representative has informed me, however, that the release sent to complainant has not yet been returned. He also states that the check for the full amount of the settlement is ready to be sent as soon as the release is received.

Complainant has not contacted this Office to explain any reasons for not executing the documents that would effectuate the settlement to which he is a party. A written release clearly would be preferred by respondents but is not necessary in order to determine that an oral settlement has occurred disposing of all matters in dispute. There is no reason to keep the case on the active docket when there is no longer any financial dispute between the parties.

Accordingly, the proceeding is DISMISSED WITH PREJUDICE TO ALL CLAIMS. This dismissal is contingent upon respondents mailing the settlement check to complainant by March 7 (overnight delivery would be preferred, but apparently because complainant uses a Post Office box it must be sent by regular mail). Presumably, he will sign the release documents and cash the check. If the check is not received by March 21, or if some unknown and unanticipated difficulty has arisen, complainant should contact this Office immediately to discuss the matter.

Dated: March 1, 2000

Joel R. Maillie

JOEL R. MAILLIE
Judgment Officer