UNITED STATES OF AMERICA
Before the
COMMODITY FUTURES TRADING COMMISSION

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CAROLINDA J. MERKL REVOCABLE TRUST, Carolinda J. Merkl, Trustee, Complainant, v. EDWARD McKENZIE & COMPANY, INC., and JOHN MERRILL McCALL, Respondents.	*	CFTC Docket No. 06-R013

FINAL DECISION

The parties have elected the voluntary decisional procedure. Under the voluntary decisional procedure, the parties are principally responsible for developing the evidentiary record, the parties waive the opportunity for an oral hearing, and the parties waive certain rights, including the right to receive a written statement of the findings of fact upon which the final decision is based and the right to appeal this final decision to the Commission and to the federal courts.

After carefully reviewing the parties' submissions, it is hereby concluded that complainant has established: one, that John Merrill McCall and other agents of Edward McKenzie & Company violated Sections 4(a) and 4b(a)(i) of the Commodity Exchange Act; two, that John Merrill McCall violated Section 13(a) of the Act; three, that these violations, separately and together, proximately caused $9,861.73 in damages; and four, that Edward McKenzie & Company is liable for the violations of McCall and its other agents pursuant to Section 2(a)(1)(A) of the Act. Accordingly, John Merrill McCall and Edward McKenzie & Company, Incorporated are ORDERED to pay to the Carolinda J. Merkl Revocable Trust reparations of $9,861.73, plus $50 in costs for the filing fee. Liability is joint and several.

Dated August 21, 2006.

Philip V. McGuire,
Judgment Officer