



**U.S. COMMODITY FUTURES TRADING COMMISSION**

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1155 21st Street, NW, Washington, DC 20581

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ELDRIDGE COLBERT,  
Complainant,

v.

E D & F MANN INTERNATIONAL, INC., and  
IRA EPSTEIN & COMPANY,  
Respondents.

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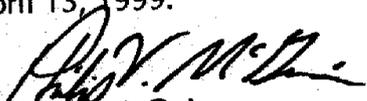
CFTC Docket No. 99-R4

**FINAL DECISION**

The parties have elected the voluntary decisional procedure. Under the voluntary decisional procedure, the parties are responsible for developing the 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. See CFTC rules 12.100 and 12.106.

After carefully reviewing the parties' submissions,<sup>1</sup> it is hereby concluded that: (1) the complainant has failed to establish any violations causing damages; and (2) that respondents have established that complainant is liable to respondents for the \$348.20 in damages claimed in the counterclaim, but that respondents have not established that they are entitled to legal fees and costs. Accordingly, the complaint against the respondents is DISMISSED; and the complainant is ORDERED to pay to respondents \$348.20.

Dated April 13, 1999.

  
Philip W. McGuire,  
Judgement Officer

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<sup>1</sup> The parties' principal submissions were the complaint, the answer and counterclaim, and respondents' final verified statement. Complainant informed my office that he has not filed a final verified statement.