



U.S. COMMODITY FUTURES TRADING COMMISSION

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_____)	
GRIFFON FUND, L.L.C.,)	
Complainant)	
)	
v.)	CFTC Docket
)	No. 05-R070
SEAQUEST CAPITAL MANAGEMENT, L.L.C.,)	
and JOHN ALEXANDER ZERVAS,)	
Respondents)	Served by Federal Express
_____)	

ORDER OF DISMISSAL WITHOUT PREJUDICE

The parties are in agreement that this case presents a simple breach of contract claim, and therefore is outside CFTC reparations jurisdiction. They have stipulated to the dismissal of the complaint so as to allow resolution in an appropriate forum.

Pursuant to the parties' agreement, this proceeding is DISMISSED WITHOUT PREJUDICE.

Dated: January 27, 2006

Joel R. Maille
JOEL R. MAILLIE
Judgment Officer