



U.S. COMMODITY FUTURES TRADING COMMISSION

Three Lafayette Centre
1155 21st Street, NW, Washington, DC 20581

OFFICE OF
PROCEEDINGS

THOMAS G. GRISELL (d/b/a "VALLEY
TRADING COMPANY"),

Complainant

v.

OMID MATHEW FARR, FARR FINANCIAL,
INC., LFG, L.L.C., BRIAN JEFFREY MCCOY,
and BRIAN MCCOY (Individually),

Respondents

CFTC Docket
No. 99-R011

OFFICE OF PROCEEDINGS
PROCEEDINGS CLERK

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FINAL DECISION AND REPARATION AWARD AGAINST COMPLAINANT

Complainant initiated this reparations case selecting a voluntary decisional proceeding, a choice concurred in by the respondents. In a voluntary proceeding, the parties submit their dispute on the papers only, waiving their right to present oral testimony. In addition, the judge is not authorized to conduct discovery on his own motion (see Rule 12.34), leaving the parties solely responsible for the development of the record. When the record is closed, the judge issues a Final Decision containing only a conclusion whether any violations have been proven, and, if so, a reparation award for any damages caused by such violations (see Rule 12.106(b)). The decision does not contain findings of fact or other evidentiary evaluations by the judge. The Final Decision is not appealable either to the Commission or to any U.S. Court of Appeals (see Rule 12.106(d)). In this matter, the parties took discovery and filed final submissions and/or verified statements.

Upon consideration of the record made by the parties, it is concluded that complainant has failed to establish any violations by respondents. It is further concluded that respondents have established that complainant is obligated under the customer agreement to pay the deficit in the account in the amount of the counterclaim. Accordingly, the complaint is DISMISSED in its entirety. Complainant is ORDERED to pay \$2,099.38 to respondents. Respondents' request for interest and attorney's fees is DENIED.

Dated: April 29, 1999

Joel R. Maillie
JOEL R. MAILLIE
Judgment Officer