## U.S. COMMODITY FUTURES TRADING COMMISSION



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

OFFICE OF PROCEEDINGS	_		FICE OF PROCEEDING PROCEEDINGS CLERK	001 MAY -9 A	C.F.T.C.
ROY E. HARRIS, Complainant	) )		LERK	II: 25	_
V.	)	CFTC Docket No. 00-R068			
BELAL KEMAL FARUKI, LFG,	)				
L.L.C., and LIMITUP TRADING, L.L.C., Respondents	) ) )				

## DEFAULT ORDER AND REPARATIONS AWARD and ORDER DISMISSING COMPLAINT AS TO LFG, L.L.C.

**Default of Non-Participating Respondents:** Respondents Faruki and LimitUp Trading failed to reply to either of the two Notices of Oral Hearing in this matter including the warning issued to them on March 8 that they must file a notice of intent to participate (with address and telephone number) or face default. Accordingly, those two respondents are in default and the Oral Hearing scheduled for May 10 is hereby CANCELLED.

By defaulting, Faruki and LimitUp Trading are deemed to have admitted the allegations of the complaint. Those allegations establish the liability of LimitUp for the fraudulent opening of complainant's account and for the frauds committed in the trading of that account by its agent Dylan Lawrence (who was previously defaulted in this matter by Default Order dated March 8, 2001). As a result of these violations of CFTC Rule 33.10 and Commodity Exchange Act Section 4c(b), complainant lost a total of \$6,493.54 (see June 6, 2000 facsimile from complainant, page 3). The complaint also establishes the liability of Faruki who was involved in all of the activities engaged in by LimitUp Trading and who was responsible for supervising its agents who opened and traded complainant's account.

Violations having been found, respondents Belal Kemal Faruki and LimitUp Trading, L.L.C., are ORDERED to pay reparations to the complainant in the amount of \$6,493.54, plus prejudgment interest compounded annually at the rate of 6.125 % from June 29, 1999 to the date of payment, plus costs of \$125.00 as the amount of the filing fee. The counterclaim filed by those respondents is DISMISSED.

**Dismissal of Respondent LFG, L.L.C.:** Respondent LFG has filed a notice that is has filed a petition under the Bankruptcy Code. Pursuant to CFTC Rule 12.24, the complaint and LFG's counterclaim are DISMISSED without prejudice to complainant's right to pursue his claim in the Bankruptcy Court. Any claim against LFG, of course, would be based on whether the judgment against its guaranteed introducing broker, LimitUp Trading, remains unsatisfied.

Dated: May 9, 2001

Joel R. Maillie
Judgment Officer