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Natasha Weil and Steven Weil, Complainants,	*	
v.	*	CFTC Docket No. 09-R31
David Eugene Unti, Respondent.	*	

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 documentary record,[1] it is hereby concluded that complainants have established that David Eugene Unti churned complainants' account in violation of Sections 4b(a)(2)(A) and 4c(b) of the Commodity Exchange Act and CFTC rule 33.10(a), and that these violations caused $4,047 in damages.[2] However, since the futures commission merchant's $4,500 payment in 2009 completely compensated complainants for these damages, no award may be issued. Accordingly, the complaint in this matter is hereby dismissed.

Dated July 15, 2010.

Philip V. McGuire,
Judgment Officer

[1] The principal documents that were considered included the complaint (and exhibits), the answer, Unti's motion to amend the answer (and exhibit), the parties' responses to the June 1st and 23rd Orders, and Vision Financial Markets' and Lasalle Futures' responses to subpoenas. The June 23rd Order put the parties on notice that diminished weight would be given to submissions that were not served on the other parties, not sworn, and/or not signed.
[2] This conclusion may not be deemed a finding of the Commission for purposes of Section 8a of the Commodity Exchange Act. CFTC rule 12.106(b)(3).