U.S. COMMODITY FUTURES TRADING COMMISSION
Three Lafayette Centre
1155 21st Street, NW, Washington, DC 20581

RECEIVED
C.F.T.C.
2001 OCT 17 A 9:42
OFFICE OF PROCEEDINGS
CLERK

OFFICE OF
PROCEEDINGS

ALFRED L. ROBERSON, III, Complainant,	*	
v.	*	CFTC Docket Nos. 00-R5 and 00-R17
THOMAS ALBERT BRESCIA, and EVERGREEN INTERNATIONAL TRADING, INCORPORATED, Respondent.	*	

DEFAULT ORDER
and
ORDER OF DISMISSAL

Respondent Thomas Albert Brescia has failed to respond to the Default Notice, and thus, pursuant to CFTC rule 12.201(f), is found in default. Brescia's default constitutes an admission of the allegations in the complaint and a waiver of any affirmative defense. Accordingly, it is concluded that Thomas Albert Brescia violate Section 4b of the Commodity Exchange Act, causing $8,350 in damages; and Thomas Albert Brescia is ORDERED to pay to Alfred L. Roberson, III reparations of $8,350, plus interest on that amount at 2.39% compounded annually from August 5, 1997 to the date of payment, plus $125 in costs for the filing fee.[1]

Respondent Evergreen has made full payment under the terms of its settlement agreement with Roberson, accordingly, the complaint against Evergreen International Trading, Incorporated is DISMISSED.

Dated October 17, 2001.

Philip V. McGuire,
Judgement Officer

[1] The total amount of this award shall be reduced by the amount paid to Roberson by Evergreen under their separate settlement agreement.