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CHUNG MING SAM LEE, Complainant,	*	
v.	*	CFTC Docket No. 09-R017
INTERACTIVE BROKERS, LLC, Respondent.	*	

FINAL DECISION

The parties have elected the voluntary decisional procedure. Under the voluntary decisional procedure, the parties are primarily 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 evidentiary record, it has been concluded: one, that complainant has failed to establish a violation of Section 4b(a) of the Commodity Exchange Act in connection with the disputed liquidation; two, that respondent is entitled to recover the debit balance of $4,918.74, in one account; and three, that complainant has established a violation of Section 4d(a) of the Act, proximately causing $535.60 in damages, in a second account.[1] Respondent's award shall be partially offset by complainant's smaller award. Accordingly, Chung Ming Sam Lee is ordered to pay to Interactive Brokers $4,383.14, plus interest on that amount at 0.35% compounded annually from the date of this order to the date of payment.

Dated January 22, 2010.

Philip V. McGuire

Philip McGuire,
Judgment Officer

[1] This conclusion may not be deemed a finding of the Commission for the purposes of Section 8a of the Act.