## **U.S. COMMODITY FUTURES TRADING COMMISSION**



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

ROBERT I. WAYNE,

Complainant,

v.

CFTC Docket No. 98-R145

FSG INTERNATIONAL, INC., KENNETH SCOTT GRUBER and MITCHELL ALLEN GROSS,

Respondents.

ORDER OF DISMISSING REPARATION PROCEEDING

Having settled this matter, the parties filed a written stipulation of dismissal in accordance with 17 C.F.R. §12.21(a). Joint Motion to Dismiss, dated September 22, 1998. The settlement agreement, submitted in camera, provided for an initial payment to complainant followed by additional payments over the next 60 days. Accordingly, the Court issued an order staying this proceeding to ensure performance under the terms of the agreement. Order Staying Proceedings and Canceling the Oral Hearing, dated September 23, 1998.

The Court's September 23, 1998 Order stated that if none of the parties requested further proceedings on or before December 22, 1998, the Court would enter an order of dismissal. Accordingly, since there is no such request pending, the Complaint is hereby DISMISSED with prejudice and the matter is terminated in its entirety. 17 C.F.R. §12.21(c).

IT IS SO ORDERED.

On this 4th day of January, 1999

Bruce C. Levine

Administrative Law Judge