

UNITED STATES OF AMERICA  
Before the  
COMMODITY FUTURES TRADING COMMISSION

In the Matter of

ANTHONY J. DIPLACIDO

CFTC Docket No. 08-23  
ORDER LIFTING STAY

Office of  
Procedural  
Administration

2010 JAN - 6 PM 4:00

Received  
C.F.T.C.

On November 5, 2008, the Commission issued its opinion and order finding respondent Anthony J. DiPlacido (“DiPlacido”) liable for manipulation and other violations and imposing sanctions. *In re DiPlacido*, [2007-2009 Transfer Binder] Comm. Fut. L. Rep. (CCH) ¶ 30,970 (CFTC Nov. 5, 2008). We subsequently granted DiPlacido’s motion to stay the effectiveness of those sanctions while he appealed our decision to the U.S. Court of Appeals for the Second Circuit. 2008 WL 5329314 (C.F.T.C.) (Dec. 19, 2008). The Court issued its decision, reducing the civil monetary penalty we imposed and otherwise affirming our decision and sanctions. *DiPlacido v. CFTC*, No. 08-5559-ag, 2009 WL 3326624 (2nd Cir.) (Oct. 16, 2009). The Court issued its mandate on January 5, 2010 and our stay by its terms is rescinded as of that date.

IT IS SO ORDERED.<sup>1</sup>

  
\_\_\_\_\_  
Laura M. Richards  
Deputy General Counsel  
Commodity Futures Trading Commission

Dated: January 6, 2010

<sup>1</sup> By the Commission pursuant to delegated authority. 17 C.F.R. § 10.109(a)(2)(iii).