

Commodity Futures Trading Commission
CEA CASES

NAME: JULIAN M. MARKS, STUART A. NEWMAN, MARSHALL K. SMITH, IRWIN M. EISEN, AND
JAMES S. SCHONBERG

DOCKET NUMBER: 98

DOCUMENT TYPE: ISSUANCE OF COMPLAINT

UNITED STATES DEPARTMENT OF AGRICULTURE

Commodity Exchange Authority

Washington 25, D. C.

ISSUANCE OF COMPLAINT - CEA DOCKET NO. 98

(Administrative Hearing under the Commodity Exchange Act)

A complaint and notice of hearing has been signed by the Assistant Secretary of Agriculture, charging the following respondents with violation of the Commodity Exchange Act:

Julian M. Marks

Stuart A. Newman

Marshall K. Smith

Irwin M. Eisen

James S. Schonberg

(Chicago, Illinois)

The complaint charges that on May 19, 1960, all of the respondents traded non-competitively in the May 1960 wheat future on the Chicago Board of Trade. The complaint further charges that Julian M. Marks offset customers' orders and took the opposite side of customers' orders by means of accommodation trades; Julian M. Marks and Stuart A. Newman bucketed customers' orders, deceived the person from whom orders were received and caused false records to be kept, false reports to be made and failed to keep proper records; Stuart A. Newman and Irwin M. Eisen made accommodation trades and Marshall K. Smith offset customers' orders and cheated customers.

The issuance of a complaint under the Commodity Exchange Act does not constitute proof of violation of the law. Such violation is established only when the Judicial Officer of the Department has made a determination that the evidence substantiates allegations in the complaint. Complaints are filed in the Office of the Hearing Clerk of the Department of Agriculture and are a matter of public record. Pending disposition by the Judicial Officer, it is the policy of the Commodity Exchange Authority not to comment or elaborate on charges contained in complaints or to discuss evidence on which they are based.

A public hearing on the complaint is scheduled to be held before a referee at 10:00 a.m., local time, March 7, 1961, in Chicago, Ill.

LOAD-DATE: June 12, 2008

