

Commodity Futures Trading Commission
CEA CASES

NAME: LOUIS ROMOFF

CITATION: 31 Agric. Dec. 381

DOCKET NUMBER: 166

DATE: MARCH 8, 1972

DOCUMENT TYPE: STAY ORDER AND DENIAL OF PETITION TO RECONSIDER ORDER

(No. 14,455)

In re LOUIS ROMOFF. CEA Docket No. 166. Decided March 8, 1972.

Reconsideration denied -- Finality of decision -- Effective date of denial of trading privileges stayed until March 27, 1972

As the matters set forth in respondent's petition for reconsideration were fully considered when the final decision and order were issued (31 Agric. Dec. 158 (31 A.D. 158)), the petition is denied. Respondent's request for reconsideration by the Secretary or other official of the Department cannot be granted where the final authority to decide this matter has been delegated to the Judicial Officer (36 F.R. 3210).

Decision by Donald A. Campbell, Judicial Officer

STAY ORDER AND DENIAL OF PETITION TO RECONSIDER ORDER

On March 7, 1972, the respondent filed a Petition to Reconsider the Decision and Order entered in this case on February 11, 1972. The Decision and Order was preceded by a Tentative Decision and Order, and exceptions were filed to the Tentative Decision and Order. The matters set forth in the present petition were fully considered when the final Decision and Order was issued. Accordingly, the Petition to Reconsider is denied.

The respondent requests reconsideration by the Secretary of Agriculture or some other official of the Department, but final authority to decide this matter has been delegated to the Judicial Officer who issued the final decision and order (36 F.R. 3210).

The respondent also requests that the effective date of the order be stayed until 10 days after a decision has been rendered on the Petition to Reconsider. This is denied as to the cease and desist provisions of the order, which shall remain in effect, but the period of the denial of trading privileges to the respondent as set forth in the order shall become effective on March 27, 1972.

The respondent "reserves the right to hereafter petition for a further stay of said Order if and at such time as Respondent files a Petition for Review of the Order with the Court of Appeals * * * ." A further stay of the denial of trading privileges will be issued in the event of such an appeal to the Court of Appeals.

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