

Commodity Futures Trading Commission
CEA CASES

NAME: A. FELDSTEIN

DOCKET NUMBER: 36

DATE: DECEMBER 5, 1945

DOCUMENT TYPE: COMPLAINT

UNITED STATES OF AMERICA

BEFORE THE SECRETARY OF AGRICULTURE

In re A. Feldstein Respondent

CE-A Docket No. 36

Complaint and Notice of Hearing under Section 6(b) of the Commodity Exchange Act

There being reason to believe that the respondent has violated the Commodity Exchange Act (7 U.S.C. Secs. 1-17a), and the rules and regulations promulgated pursuant thereto, this complaint is issued alleging the following:

1.

A. Feldstein is an individual doing business under the trade name of A. Feldstein and Company at 938 Test Fulton Market, Chicago, Illinois.

2.

The Chicago Mercantile Exchange is a duly designated contract market under the provisions of the Commodity Exchange Act.

3.

At all times during the period from October 6, 1945, to October 30, 1945, the respondent held or controlled open contracts in 1945 November egg futures on the Chicago Mercantile Exchange equaling or exceeding 25 carlots, as set out in the following tabulation:

See original document-page 1

Date	Futures commission merchants through whom transactions were made (quantities in carlots)						Total quantity held short	
	Weinberg & Co.		Sol Rich & Co.,		Chas. Keeshin, Inc.			
1945	Bot	Sold	Bot	Sold	Bot	Sold		
Oct. 5				18			3	21
6							5	26
9							4	30
11							10	40
13							7	47
15							1	48
16			5		10			33
17							11	44
19						13		31
24						3		28
29		2		1				31
30							6	37

The respondent failed to report or cause to be reported his holdings in egg futures set out above as required under Section 41 of the Commodity Exchange Act

and Sections 5.10, 5.11 and 5.21 of the rules and regulations promulgated thereunder by the Secretary of Agriculture.

4.

The respondent was aware of the legal requirement for reporting, having previously held or controlled reportable positions in egg futures and having filed reports covering such positions at various times during the year 1944.

The respondent was visited by representatives of the United States Department of Agriculture on October 23, 1945, and these representatives inquired of the respondent as to his holdings in egg futures contracts

on that date. The respondent advised that he was short 11 carlots of November eggs and 14 carlots of December eggs, while as a matter of fact he was on that date short 31 carlots of November eggs and 14 car-lots of December eggs. The respondent was again visited by representatives of the United States Department of Agriculture on October 29, 1945, and was questioned concerning his holdings of egg futures as of that date. He stated that he was familiar with the reporting requirements and that he submitted reports when in reporting status.

Therefore, the respondent is hereby notified to be and appear at a hearing to be held at 10:00 o'clock a.m., Eastern Standard Time, on the 21st day of January 1946, in Room 2862, South Building, Department of Agriculture, Washington, D. C., before a referee to be designated by the Secretary of Agriculture, to conduct such hearing, and then and there show cause, if any there be, why an order should not be made directing that, until further notice of the Secretary of Agriculture, all contract markets refuse all trading privileges to the respondent, and further, suspending or revoking any registration of the respondent as futures commission merchant or floor broker as the case may be.

The respondent will have 20 days after the receipt of this notice of hearing in which to file with the Secretary of Agriculture an answer in triplicate, fully and completely stating the nature of the defense and admitting or denying specifically in detail each

material and relevant allegation of this complaint. Any allegations that are not answered will be deemed admitted for the purpose of this proceeding.

It is ordered that this complaint and notice of hearing be served on the respondent by delivery to him of a true copy hereof by an employee of the Department of Agriculture or by registered mail at least 20 days prior to the date herein set for hearing.

Done at Washington, D. C., this 5th day of December, 1945.

/s/ Clinton P. Anderson
Secretary of Agriculture

LOAD-DATE: June 11, 2008

