

Commodity Futures Trading Commission
CEA CASES

NAME: LOUIS ROMOFF

CITATION: 29 Agric. Dec. 777

DOCKET NUMBER: 166

DATE: JULY 30, 1970

DOCUMENT TYPE: ORDER

(No. 13,286)

In re Louis ROMOFF. CEA Docket No. 166. Decided July 7, 1970.

Stay order -- After order on stipulation

Decision by Thomas J. Flavin, *Judicial Officer*

STAY ORDER

Respondent has filed a petition for reconsideration of the part of the order entered June 12, 1970, ordering contract markets to refuse trading privileges to respondent for a period of 30 days.

Pending action upon the petition, the part of the order referred to above is stayed.

(No. 13,287)

In re LOUIS ROMOFF. CEA Docket No. 166. Decided July 30, 1970.

Consent order vacated -- On motion of respondent -- Answer to be filed

Decision by Thomas J. Flavin, *Judicial Officer*

ORDER

On June 12, 1970, an order was entered in this disciplinary proceeding under the Commodity Exchange Act (7 U.S.C. Ch. 1). Respondent did not file an answer to the complaint but by stipulation agreed to the entry of the order.

The order in part required that the contract markets under the act refuse respondent all trading privileges for a period of 30 days, such refusal to apply to all trading done and all positions held by respondent "directly or indirectly".

On July 6, 1970, respondent filed a petition to reconsider the order. The petition recites that respondent owns fifty percent of the capital stock of Golden Bear Produce Distributors, Inc., and Luer Packing Company, Inc. and that Sam Perricine owns the other fifty percent of each of the two corporations. The petition goes on to state that Luer enters into long-term commitments to supply bacon to customers, that Golden Bear or Luer hedges for Luer in the frozen pork belly futures market and that such hedging for the benefit of Luer is necessary in Luer's business.

The petition relates that Commodity Exchange Authority representatives have informed respondent that the order entered reaches any futures contracts in regulated commodities entered into by Golden Bear or Luer by virtue of the word "indirectly" in the order. The order was stayed pending action upon the petition.

Respondent says that he did not understand when he signed the stipulation that the refusal of trading privileges would cover futures trading by Golden Bear or Luer. He asks that the consent order be set aside or that there be provided an exemption for *bona fide* hedging by Luer or by Golden Bear for the benefit of Luer.

In view of respondent's belief that the stipulated order would not reach the futures trading of the two corporations, respondent's request to set aside the order entered should be granted. The order of June 12, 1970, is vacated. Respondent shall file an answer to the complaint within 20 days after service of a copy of this order.

LOAD-DATE: June 10, 2008

