## UNITED STATES OF AMERICA Before the U.S. COMMODITY FUTURES TRADING COMMISSION

CILLIAN HOLDINGS LLC and JEREMY O'FRIEL,	) ) CFTC Docket No. CRAA 20-03	
Petitioners, v.	) ORDER RECEIVED CFTC	\
NATIONAL FUTURES ASSOCIATION,		
Respondent.	Office of Proceedings Proceedings Clerk 11:32 am, Sep 18, 2020	J

On September 11, 2020, Petitioners Cillian Holdings LLC and Jeremy O'Friel filed a notice of appeal and petition to stay a National Futures Association decision imposing certain monetary sanctions. The petition to stay is DENIED without prejudice.

CFTC Regulation 171.22(b)(3) provides that a petition to stay an NFA decision must include "an affidavit or other sworn statement unless the parties stipulate that the material facts are not in dispute." 17 C.F.R. § 171.22(b)(3). Petitioners have not submitted that documentation, nor have the parties stipulated to the factual assertions in the petition to stay. The petition is accordingly defective. <sup>1</sup>

Petitioners may refile a corrected petition. Factual assertions in the petition must be supported by the required affidavit or sworn statement, or the Commission will not consider them.

IT IS SO ORDERED.<sup>2</sup>

<sup>&</sup>lt;sup>1</sup> Petitioners are encouraged to familiarize themselves with the requirements of Regulation 171.22, and the Part 171 regulations generally, before re-filing. *See* Elec. Code of Fed. Regs., <a href="https://www.ecfr.gov/cgi-bin/text-idx?SID=c8fa3a6f41c758b52f578153d6e5ca5b&mc=true&node=pt17.2.171&rgn=div5.">https://www.ecfr.gov/cgi-bin/text-idx?SID=c8fa3a6f41c758b52f578153d6e5ca5b&mc=true&node=pt17.2.171&rgn=div5.</a>

<sup>&</sup>lt;sup>2</sup> By the Commission pursuant to delegated authority under 17 C.F.R. § 171.50(a)(3).

Robert A. Schwartz
Robert A. Schwartz Deputy General Counsel
U.S. Commodity Futures Trading Commission

Dated: September 18, 2020