

UNITED STATES OF AMERICA  
Before the  
COMMODITY FUTURES TRADING COMMISSION

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In the Matter of )  
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FUTUREWISE TRADING GROUP, INC., )  
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 )  
Registrant. )  
\_\_\_\_\_ )

CFTC DOCKET NO. SD 03-06

RECEIVED  
C.F.T.C.  
2003 SEP - 3 P 4: 17  
OFFICE OF ENFORCEMENT  
FUTUREWISE TRADING GROUP, INC.

**NOTICE OF INTENT TO SUSPEND, REVOKE,  
OR RESTRICT FUTUREWISE TRADING GROUP, INC.'S  
REGISTRATIONS AS A COMMODITY POOL OPERATOR,  
COMMODITY TRADING ADVISOR AND INTRODUCING BROKER**

I.

The Commodity Futures Trading Commission ("Commission") has received information from its staff which tends to show, and the Commission's Division of Enforcement ("Division") alleges and is prepared to prove, that:

1. Futurewise Trading Group, Inc. ("Futurewise") is a Michigan corporation located at 39555 Orchard Hill Place, #303 Novi, Michigan 48375.
2. Since at least November 30, 1999, Futurewise has been registered with the Commission as a commodity pool operator ("CPO"), pursuant to Section 4m of the Commodity Exchange Act, as amended ("Act"), 7 U.S.C. § 6m (2001).
3. Since at least July 13, 1999, Futurewise has been registered with the Commission as a commodity trading advisor ("CTA"), pursuant to Section 4m of the Act, 7 U.S.C. § 6m (2001).
4. Since at least February 12, 1999, Futurewise has been registered with the Commission as an introducing broker ("IB"), pursuant to Section 4d of the Act, 7 U.S.C. § 6d (2001).

5. On February 8, 2002, the Commission filed a complaint in an injunctive action in the U.S. District Court for the Eastern District of Michigan against Todd James Snively, individually, Commodity Consultants International, Inc. and Futurewise. Civil Action No. 02-40041.

6. On March 11, 2003, the court entered a Consent Order of Permanent Injunction and Other Equitable Relief Against Futurewise and the two other defendants (“Consent Order”). Among other things, the Consent Order permanently enjoins Futurewise from:

- a. violating Sections 4b(a)(2)(i), (ii) and (iii) and 4g(a) of the Act, 7 U.S.C. §§ 6b(a)(2)(i), (ii) and (iii) and 6g (2001) and Regulations 1.31 and 1.35, 17 C.F.R. §§ 1.31 and 1.35 (2002);
- b. participating in the futures industry in any registered or exempt capacity except as provided for in Regulation 4.14(a)(9), 17 C.F.R. § 4.14(a)(9) (2002); and
- c. trading on or subject to the rules of any registered entity and engaging in, controlling or directing the trading of any futures or options accounts for or on behalf of any other person or entity, whether by power of attorney or otherwise.

7. The facts set forth in paragraphs 5 and 6 above constitute a basis for statutory disqualification from registration under Section 8a(2)(C) of the Act, 7 U.S.C. § 12a(2)(C) (2001), pursuant to which the current registrations of Futurewise may be suspended, restricted or revoked.

## II.

Pursuant to Section 3.60(a), 17 C.F.R. § 3.60(a) (2002), Futurewise is hereby notified that a public proceeding shall be conducted in accordance with the provisions of Commission Regulation 3.60, 17 C.F.R. § 3.60 (2002), on the following questions:

1. Whether Futurewise is subject to statutory disqualification under Section 8a(2)(C) of the Act, as set forth in Section I, above; and

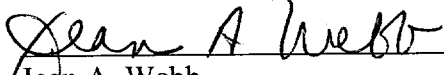
2. If the answer to question 1 is affirmative, whether the registrations of Futurewise as a CPO, CTA and IB should be suspended, restricted or revoked. Such proceeding shall be held before an Administrative Law Judge, in accordance with Commission Regulation 3.60, and all post-hearing procedures shall be conducted pursuant to Commission Regulation 3.60(i)-(j), 17 C.F.R. § 3.60(i)-(j) (2002).

In accordance with the provisions of Commission Regulation 3.60(a)(3), 17 C.F.R. § 3.60(a)(3) (2002), Futurewise is entitled to file a response challenging the evidentiary bases of the statutory disqualification or show cause why, notwithstanding the accuracy of the allegations, its registrations should not be suspended, revoked, or restricted. Such response must be filed with the Hearing Clerk, Office of Hearings and Appeals, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21<sup>st</sup> Street, N.W., Washington, D.C. 20581, and served upon Mark Bretscher, Senior Trial Attorney, Division of Enforcement at 525 W. Monroe Street, Suite 1100, Chicago, Illinois 60661, within thirty (30) days after the date of service of this Notice upon Futurewise in accordance with the provisions of Commission Regulation 3.60(b). If Futurewise fails to file a timely response to this Notice, the allegations set forth herein shall be deemed to be true and the presiding officer may issue an Order of Default in accordance with the provisions of Commission Regulation 3.60(g), 17 C.F.R. § 3.60(g) (2002).

### III.

The Hearing Clerk shall serve this Notice of Intent to Suspend, Revoke, or Restrict Registration by registered or certified mail pursuant to Commission Regulation 3.50, 17 C.F.R. § 3.50 (2002).

By the Commission.

  
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Jean A. Webb  
Secretary to the Commission  
Commodity Futures Trading Commission

Dated: September 3, 2003