

(Docket No. 336)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

_____	:	
COMMODITY FUTURES TRADING	:	
COMMISSION,	:	
	:	Civil No. 04-1512 (RBK)
Plaintiff,	:	
v.	:	
	:	ORDER
EQUITY FINANCIAL GROUP,	:	
et al.,	:	
	:	
Defendants.	:	
_____	:	

THIS MATTER having come before the Court on motion by Plaintiff, Commodity Futures Trading Commission, for partial summary judgment against Defendants Equity Financial Group, LLC ("Equity"), Robert W. Shimer ("Shimer"), and Vincent J. Firth ("Firth"); and the Court having considered the moving papers, and the opposition thereto; and for the reasons expressed in the accompanying Opinion;

IT IS HEREBY **ORDERED** that the Plaintiff's motion for summary judgment on the count that Equity violated 7 U.S.C. § 6m(1) is **GRANTED**;

IT IS HEREBY **ORDERED** that the Plaintiff's motion for summary judgment on the count that Firth and Shimer violated 7 U.S.C. § 6k(2) is **GRANTED**;

IT IS HEREBY **ORDERED** that the Plaintiff's motion for

summary judgment on the count that Firth and Shimer violated 7 U.S.C. § 6o(1)(B) is **GRANTED**;

IT IS HEREBY **ORDERED** that the Plaintiff's motion for summary judgment on the count that Equity is liable for Firth and Shimer's violations of 7 U.S.C. § 6m(1), 7 U.S.C. § 6k(2), and 7 U.S.C. § 6o(1)(B) pursuant to 7 U.S.C. § 2(a)(1)(B) is **GRANTED**;

IT IS HEREBY **ORDERED** that the Plaintiff's motion for summary judgment on the count that Shimer aided and abetted Equity's violation of 7 U.S.C. § 6m(1) is **DENIED**;

IT IS HEREBY **ORDERED** that the Plaintiff's motion for summary judgment on the count that Shimer aided and abetted Tech Trader's violation of 17 C.F.R. 4.30 is **DENIED**;

IT IS HEREBY **ORDERED** that the Plaintiff's motion for summary judgment on the count that Firth and Shimer violated 7 U.S.C. § 13c(b) is **DENIED**.

Dated: 12/18/2006

s/Robert B. Kugler
ROBERT B. KUGLER
United States District Judge