



**U.S. COMMODITY FUTURES TRADING COMMISSION**

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SHIREEN MUQTADIR,  
Complainant,  
  
v.  
  
D2W CAPITAL MANAGEMENT, LLC,  
and TOBY HUNTER,  
Respondents.  
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CFTC Docket No. 13-R021

**DEFAULT ORDER**

Respondents Toby Hunter and D2W Capital Management, LLC have failed to file answers to the complaint and thus are in default. Pursuant to CFTC rule 12.22, respondents' defaults are deemed admissions of the allegations in the complaint, as supplemented, and waivers of the opportunity to raise any affirmative defenses. Accordingly, Shireen Muqtadir has established that Toby Hunter defrauded her in violation of Section 40(1)(A) of the Commodity Exchange Act, that Hunter's violations proximately caused \$33,442 in damages,<sup>1</sup> and that D2W Capital Management, LLC is liable for Hunter's violations pursuant to Section 2a(1)(B) of the Act; and Toby Hunter and D2W Capital Management, LLC are ordered to pay to Shireen Muqtadir reparations of \$33,442, plus prejudgment and post-judgment interest on that amount at 0.09 %, compounded annually from November 12, 2010, to the date of payment, plus \$50 in costs for the filing fee. Liability shall be joint and several.

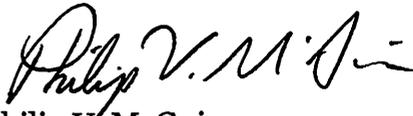
Any motion by Hunter or D2W to vacate this default order must meet the appropriate standards set out in CFTC rule 12.23.

Muqtadir should note that Hunter and D2W have not been registered since early January 2012, and that both defaulted on a civil complaint brought by the CFTC alleging various fraudulent practices (*see* default orders dated January 25, and February 22, 2013, by Judge Max O. Cogburn, Jr. of the United States District Court for the Western District of North Carolina, *Commodity Futures Trading Commission v. Prestige Capital Advisors, LLC, D2W Capital Management, and Toby D. Hunter*, Case No. 3:11-CV-431).

<sup>1</sup> Muqtadir has not produced any evidence that reliably establishes damages greater than \$33,442 that were proximately caused by Hunter's violations.

In these circumstances, successful collection of this award, in whole or in part, unfortunately may be a remote possibility.

Dated May 22, 2014.

A handwritten signature in black ink, appearing to read "Philip V. McGuire". The signature is written in a cursive style with a large initial "P" and a long horizontal stroke at the end.

Philip V. McGuire,  
Judgment Officer