

**UNITED STATES OF AMERICA**  
**Before the**  
**COMMODITY FUTURES TRADING COMMISSION**

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MARK WELLS,  
Complainant,

v.

GREG PETER ALLOTTA, and  
NATHANIEL MATTHEW BRANCH,  
Respondents.

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CFTC Docket No. 05-202

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**ORDER OF DISMISSAL (Allotta)**  
**and**  
**DEFAULT ORDER (Branch)**

**Dismissal of Complaint against Greg Peter Allotta**

Mark Wells has received full payment under the terms of the settlement agreement with Allotta. Accordingly, the complaint against Greg Peter Allotta is dismissed.

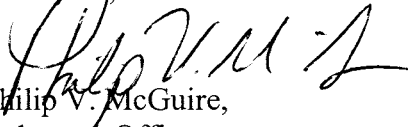
**Default Order against Nathaniel Matthew Branch**

Counsel for Mark Wells and counsel for Nathaniel Branch have confirmed that Branch has failed to make full payment under the terms of his separate settlement agreement with Wells. Branch's unexplained and unjustified failure supports the conclusion that he entered into the agreement in bad faith in order to delay and disrupt this proceeding. In these circumstances, default is an appropriate sanction. *See* CFTC rules 12.201(f) and (j).

Branch's default constitutes an admission of the allegations in the complaint. Accordingly, it is concluded that Nathaniel Matthew Branch committed multiple violations of Section 4c(b) of the Commodity Exchange Act and CFTC rule 33.10; and that these violations, separately and together, proximately caused \$12,697 in damages. Accordingly, Nathaniel Matthew Branch is ORDERED to pay to Mark Wells reparations of \$12,697, plus interest on that amount at 4.98 % compounded annually from May 25,

2004, to the date of payment, plus \$750 in costs for attorneys fees and \$50 in costs for the filing fee.<sup>1</sup>

Dated January 11, 2007.

  
Philip V. McGuire,  
Judgment Officer

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<sup>1</sup> This total award (i.e., damages, interest and costs) shall be reduced by the amount that Wells had received, on or about September 7, 2006, from the settlements with the co-respondents: \$5,000. This order will be served on Nathaniel Branch in care of his counsel, and at the last address that Branch provided NFA for service of reparations documents.