NOT FOR PUBLICATION

(Docket Nos. 21, 22, 23, 26)

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

COMMODITY FUTURES
TRADING COMMISSION,

Plaintiff, : Civil No. 06-4674 (RBK)

v. : **ORDER** 

WILLIAM D. PERKINS and TAX ACCOUNTING OFFICE, INC.,

Defendants.

**KUGLER**, United States District Judge:

THIS MATTER having come before the Court on four motions: (1) a motion by Plaintiff Commodity Futures Trading Commission ("Plaintiff" or "CFTC") for summary judgment on its complaint; (2) CFTC's motion for entry of default and default judgment as to Defendant Tax Accounting Office, Inc. ("TAO"); (3) a motion for summary judgment by Defendant William D. Perkins ("Perkins"); and (4) a motion by Perkins to stay a ruling on Plaintiff's motion for default judgment; and the Court having considered the moving papers, opposition and replies thereto;

IT IS HEREBY ORDERED that CFTC's motion for summary judgment is GRANTED; and

IT IS FURTHER ORDERED that Defendant Perkins' motion for summary judgment is **DENIED**; and

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IT IS FURTHER ORDERED that CFTC's motion for entry of default and default judgement as to Defendant TAO is GRANTED; and

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**IT IS FURTHER ORDERED** that Defendant Perkins' motion for a stay is **DENIED**; and

IT IS FURTHER ORDERED that Defendant Perkins shall be and hereby is permanently enjoined from:

- Engaging in conduct in violation of 7 U.S.C. §§ 6m(1) and 6o(1); 1.
- 2. Directly or indirectly soliciting or accepting any funds from any person in connection with the purchase or sale of any commodity futures or options contract;
- 3. Engaging in, controlling, or directing the trading of any commodity futures or options accounts, on his own behalf or for or on behalf of any other person or entity, whether by power of attorney or otherwise
- 4. Introducing customers to any other person engaged in the business of commodity futures and options trading;
- 5. Issuing statements or reports to others concerning commodity futures or options trading; and
- 6. Otherwise engaging in any business activities related to commodity futures or options trading; and

IT IS FURTHER ORDERED that Judgment in restitution is entered in favor of CFTC and against Defendant Perkins in the amount of \$1,471,399.13, together with prejudgment interest dating from April 1, 2004; and

IT IS FURTHER ORDERED that Judgment in disgorgement is entered in favor of Plaintiff CFTC and against Defendants as follows:

- 1. Defendant Perkins, the amount of \$177,231.46, together with prejudgment interest dating from April 1, 2004;
- 2. Defendant TAO, the amount of \$76,006.68, together with prejudgment interest dating from April 1, 2004; and

IT IS FURTHER ORDERED that Judgment for civil penalties is entered in favor of Plaintiff CFTC and against Defendant Perkins in the amount of \$354,462.92, together with prejudgment interest dating from April 1, 2004; and

IT IS FURTHER ORDERED that Plaintiff CFTC shall recover, upon proper application to this Court, costs and fees.

Dated: 3	3-25-09	/s/ Robert B. Kugler
		ROBERT B. KUGLER
		United States District Judge