



U.S. COMMODITY FUTURES TRADING COMMISSION

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DAVID H. NI,
Complainant,

v.

GAIN CAPITAL GROUP, LLC.
d/b/a FOREX.COM,
Respondent.

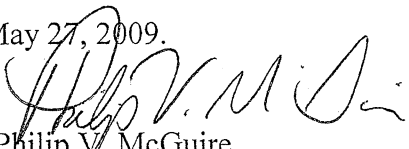
CFTC Docket No. 08-R034

FINAL DECISION

The parties have elected the voluntary decisional procedure. Under the voluntary decisional procedure, the parties are principally responsible for developing the evidentiary record, the parties waive the opportunity for an oral hearing, and the parties waive certain rights, including the right to receive a written statement of the findings of fact upon which the final decision is based and the right to appeal this final decision to the Commission and to the federal courts.

After carefully reviewing the parties' submissions, it is hereby concluded that complainant has established that Forex.com violated Section 4b(a) of the Commodity Exchange Act, and that this violation caused \$22,231 in damages.¹ Accordingly, Gain Capital Group LLC, d/b/a Forex.com is ordered to pay to David Ni \$22,231, plus post-judgment interest on that amount at 0.52% compounded annually from the date of this order to the date of payment, plus \$50 for the cost of the filing fee.

Dated May 27, 2009.


Philip V. McGuire,
Judgment Officer

¹ This conclusion may not be deemed a finding of the Commission for purposes of Section 8a of the Commodity exchange Act. CFTC rule 12.106(3).