



U.S. COMMODITY FUTURES TRADING COMMISSION

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MARK BOIKE,
Complainant,

v.

E TRADE SECURITIES LLC,
Respondents.

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CFTC Docket No. 09-R21

FINAL DECISION

The parties have elected the voluntary decisional procedure. Under the voluntary decisional procedure, the parties are primarily 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 evidentiary record, it has been concluded that an agent for E Trade Securities LLC violated Section 4b(a) of the Commodity Exchange Act proximately causing \$4,458.90 in damages, and that E Trade Securities LLC is liable for the violation of its agent pursuant to Section 2(a)(1)(B) of the Act. Accordingly, E Trade Securities LLC is ordered to pay to Mark Boike reparations of \$4,458.90, plus post-judgment interest on that amount at 0.36% compounded annually from the date of this order to the date of payment, plus \$50 in costs for the filing fee.

Dated October 27, 2009.


Philip McGuire,
Judgment Officer