

UNITED STATES OF AMERICA
Before the
COMMODITY FUTURES TRADING COMMISSION

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In the Matter of:

**Virlin Whitt,
Complainant,**

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Vs.

Docket No. 99-R118

**Ellen S. Cohen,
Dwayne E. Hagendorf,
Michelle Anne Marie Sharpe and
The Winner Group, Inc.,
Respondents.**

DISMISSAL FOR CAUSE

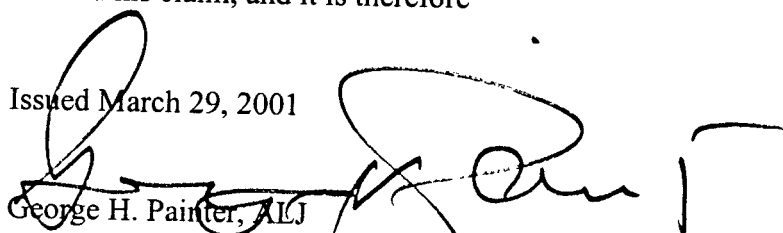
Complainant filed an incomplete complaint in this matter on May 7, 1999, requesting a voluntary procedure. In July 1999 complainant advised a Commission investigator that he did not wish to pursue the matter. Subsequently, he amended his complaint and it was served on respondents on or about October 13, 2000. Respondent Ellen Sue Cohen filed an answer on November 21, 2000, and paid the required fee for a formal hearing. Each respondent filed a timely answer.

By Order issued December 7, 2000 the parties were directed to file pre-hearing memoranda on or before March 16, 2001. Respondents complied with this order. Complainant did not. On March 19, 2001 complainant was ordered to show cause why the complaint should not be dismissed on grounds that he had abandoned his claim. There has been no response to the Order to Show Cause.

Complainant was contacted by telephone on this date to inquire as to whether he had received the Order to Show Cause. He reported that he had received the order, but did not intend to respond. When informed that his claim would be dismissed if he did not respond immediately, complainant indicated that he had no objections.

It is deemed that complainant has abandoned his claim, and it is therefore **DISMISSED** without prejudice.

Issued March 29, 2001


George H. Painter, ALJ