

UNITED STATES OF AMERICA
Before the
COMMODITY FUTURES TRADING COMMISSION

In the Matter of)

TODD JAMES SNIVELY,)

Registrant.)

CFTC DOCKET NO. SD 03-05

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2003 SEP -3 P 4: 17
OFFICE OF REGISTRATIONS
PROCEEDINGS CLERK

**NOTICE OF INTENT TO SUSPEND, REVOKE,
OR RESTRICT TODD JAMES SNIVELY'S
REGISTRATIONS AS AN ASSOCIATED PERSON**

I.

The Commodity Futures Trading Commission ("Commission") has received information from its staff which tends to show, and the Commission's Division of Enforcement ("Division") alleges and is prepared to prove, that:

1. Todd James Snively ("Snively") resides in Northville, Michigan.
2. Since at least June 19, 2001, Snively has been registered with the Commission as an associated person ("AP") of Commodity Consultants International, Inc. ("CCI"), pursuant to Section 4k of the Commodity Exchange Act, as amended ("Act"), 7 U.S.C. § 6k (2001).
3. Since at least February 12, 1999, Snively has been registered with the Commission as an AP of Futurewise Trading Group, Inc. ("Futurewise"), pursuant to Section 4k of the Act, 7 U.S.C. § 6k (2001).
4. On February 8, 2002, the Commission filed a complaint in an injunctive action in the U.S. District Court for the Eastern District of Michigan against Snively, CCI and Futurewise. Civil Action No. 02-40041.

5. On March 11, 2003, the court entered a Consent Order of Permanent Injunction and Other Equitable Relief Against Snively and the other two defendants (“Consent Order”). Among other things, the Consent Order permanently enjoins Snively from:

- a. violating Sections 4b(a)(2)(i), (ii) and (iii) and 4g(a) of the Act, 7 U.S.C. §§ 6b(a)(2)(i), (ii) and (iii) and 6g (2001) and Regulations 1.31 and 1.35, 17 C.F.R. §§ 1.31 and 1.35 (2002);
- b. participating in the futures industry in any registered or exempt capacity except as provided for in Regulation 4.14(a)(9), 17 C.F.R. § 4.14(a)(9) (2002); and
- c. trading on or subject to the rules of any registered entity and engaging in, controlling or directing the trading of any futures or options accounts for or on behalf of any other person or entity, whether by power of attorney or otherwise.

6. The facts set forth in paragraphs 4 and 5 above constitute a basis for statutory disqualification from registration under Section 8a(2)(C) of the Act, 7 U.S.C. § 12a(2)(C) (2001), pursuant to which the current registrations of Snively may be suspended, restricted or revoked.

II.

Pursuant to Section 3.60(a), 17 C.F.R. § 3.60(a) (2002), Snively is hereby notified that a public proceeding shall be conducted in accordance with the provisions of Commission Regulation 3.60, 17 C.F.R. § 3.60 (2002), on the following questions:

1. Whether Snively is subject to statutory disqualification under Section 8a(2)(C) of the Act, as set forth in Section I, above; and
2. If the answer to question 1 is affirmative, whether the registrations of Snively as an AP should be suspended, restricted or revoked. Such proceeding shall be held before an Administrative Law Judge, in accordance with Commission Regulation 3.60, and all post-

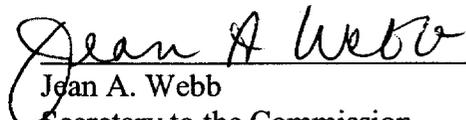
hearing procedures shall be conducted pursuant to Commission Regulation 3.60(i)-(j), 17 C.F.R. § 3.60(i)-(j) (2002).

In accordance with the provisions of Commission Regulation 3.60(a)(3), 17 C.F.R. § 3.60(a)(3) (2002), Snively is entitled to file a response challenging the evidentiary bases of the statutory disqualification or show cause why, notwithstanding the accuracy of the allegations, his registrations should not be suspended, revoked, or restricted. Such response must be filed with the Hearing Clerk, Office of Hearings and Appeals, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, N.W., Washington, D.C. 20581, and served upon Mark Bretscher, Senior Trial Attorney, Division of Enforcement at 525 W. Monroe Street, Suite 1100, Chicago, Illinois 60661, within thirty (30) days after the date of service of this Notice upon Snively in accordance with the provisions of Commission Regulation 3.60(b). If Snively fails to file a timely response to this Notice, the allegations set forth herein shall be deemed to be true and the presiding officer may issue an Order of Default in accordance with the provisions of Commission Regulation 3.60(g), 17 C.F.R. § 3.60(g) (2002).

III.

The Hearing Clerk shall serve this Notice of Intent to Suspend, Revoke, or Restrict Registration by registered or certified mail pursuant to Commission Regulation 3.50, 17 C.F.R. § 3.50 (2002).

By the Commission.



Jean A. Webb
Secretary to the Commission
Commodity Futures Trading Commission

Dated: September 3, 2003