U.S. COMMODITY FUTURES TRADING COMMISSION
Three Lafayette Centre
1155 21st Street, N.W., Washington, DC 20581

Office of Proceedings

CHRIS PAPAGEORGE, Complainant	)	
v.	)	CFTC Docket No. 03-R016
REFCO, L.L.C. (d/b/a "LIND-WALDOCK DIVISION OF REFCO, L.L.C.") and TIMOTHY JOHN GOCKEL, Respondents	)	

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FINAL DECISION

Complainant initiated this reparations case selecting a voluntary decisional proceeding, a choice concurred in by the respondents. In a voluntary proceeding, the parties submit their dispute on the papers only, waiving their right to present oral testimony. In addition, the judge is not authorized to conduct discovery on his own motion (see Rule 12.34), leaving the parties solely responsible for the development of the record. When the record is closed, the judge issues a Final Decision containing only a conclusion whether any violations of the Commodity Exchange Act have been proven, and, if so, a reparation award for any damages caused by such violations (see Rule 12.106(b)). The decision does not contain findings of fact or other specific evidentiary evaluations by the judge. The Final Decision is not appealable to the Commission or to any court.

In this matter, the respondents took discovery and both sides submitted verified final statements. Upon a review of the record made by the parties, it is determined that complainant has not established that respondents committed any violations entitling him to damages in this forum. Therefore, the complaint is DISMISSED.

Dated: August 8, 2003

Joel R. Maillie
JOEL R. MAILLIE
Judgment Officer