

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

MAR 21 2007

Michael N. Milby, Clerk

COMMODITY FUTURES TRADING)
 COMMISSION,)
)
 Plaintiff,)
)
 v.)
)
 ADEN RUSFELDT and)
 RUSFELDT INVESTMENTS LLP)
 d/b/a Currency Trading Made Easy,)
)
 Defendants.)

Civil Action No. 3:07-cv-00130

**ORDER OF PRELIMINARY
INJUNCTION AND OTHER EQUITABLE RELIEF**

Plaintiff, the Commodity Futures Trading Commission ("Commission"), has filed a complaint for permanent injunction and other relief, and moved pursuant to Rule 65(a) of the Federal Rules of Civil Procedure for a Preliminary Injunction. After a hearing held March 21, 2007, the Court has considered the pleadings, declarations, exhibits, memorandum and other evidence presented to this Court by ~~Plaintiff~~ *Plaintiff*. As it appears to the Court that the Court has *subject to further consideration* jurisdiction over the subject matter of this case, that there is good cause to believe that the Defendants, Aden Rusfeldt ("Rusfeldt") and Rusfeldt Investments LLP ("Rusfeldt Investments") (collectively "Defendants"), have engaged in, are engaging in or are about to engage in violations of the Act, and that this is a proper case for granting a preliminary injunction to preserve the status quo, protect public customers from further loss and damage, remove the danger of violation of the Act, and enable the Commission to fulfill its statutory duties, the Court orders as follows:

I.
JURISDICTION AND VENUE

1. This Court has jurisdiction over Defendants and the subject matter of this action pursuant to Section 6c of the Act, 7 U.S.C. §13a-1, which authorizes the Commission to seek injunctive relief against any person whenever it shall appear that such person has engaged, is engaging, or is about to engage in any act or practice constituting a violation of any provision of the Act or any rule, regulation, or order thereunder;

2. Venue properly lies with this Court pursuant to Section 6c(e) of the Act, 7 U.S.C. §13a-1(e), in that Defendants are found, inhabit or transact business in this district, and the acts and practices in violation of the Act have occurred, are occurring, or are about to occur within this district;

II.
ORDER OF PRELIMINARY INJUNCTION

IT IS FURTHER ORDERED that:

3. The Defendants and all persons insofar as they are acting in the capacity of agents, servants, employees, successors, assigns, or attorneys of Defendants, and all persons insofar as they are acting in active concert or participation with Defendants who receive actual notice of this order by personal service or otherwise, shall be prohibited and restrained from directly or indirectly in or in connection with an offer to enter into, the entry into, the confirmation of the execution of, or the maintenance of, commodity option transactions,

- a. cheating or defrauding or attempting to cheat or defraud other persons; and
- b. willfully deceiving or attempting to deceive other persons;

in violation of Section ^{4b}~~4e(b)~~ of the Act, 7 U.S.C. § ^{6b}~~6e(b)~~, and Regulation Section ^{1.1(b)}~~32.9~~; 17 C.F.R. ^{1.1(b)} § ~~32.9~~,

4. Until a final adjudication on the merits may be had, Defendants Rusfeldt and Rusfeldt Investments, and all persons insofar as they are acting in the capacity of officers, agents, servants, employees, or attorneys of Defendants Rusfeldt and/or Rusfeldt Investments, and all persons insofar as they are acting in active concert or participation with Defendants Rusfeldt and/or Rusfeldt Investments who receive actual notice of this Order by personal service or otherwise, shall be prohibited and restrained from engaging, directly or indirectly, in any activity related to trading in any commodity interest, as that term is defined in Section 1a(4) of the Act, 7 U.S.C. § 1a(4), *for or on behalf of any person or entity other than Rusfeldt and/or Rusfeldt Investments d/b/a Currency Trading Made Easy*, including but not limited to, the following:

- a. Trading on or subject to the rules of any registered entity, as that term is defined in Section 1a(29) of the Act, 7 U.S.C. § 1a(29);
- b. Engaging in, controlling, or directing the trading of any commodity interest accounts, whether by power of attorney or otherwise;
- c. Soliciting any person or entity in connection with the purchase or sale of any commodity interest contract, accounts for the purchase or sale of commodity interest contracts and/or any system related to the purchase or sale of commodity interest contracts;
- d. Placing orders or giving advice, price quotations, or other information in connection with the purchase or sale of commodity interest contracts;
- e. Introducing customers or clients to any other person or entity engaged in the business of commodity interest trading; and

f. Engaging in any business activities related to commodity interest trading by or on behalf of others.

5. Within two (2) days of the issuance of this Order, Defendants Rusfeldt and Rusfeldt Investments shall:

a. remove or caused to be removed from the Internet all websites or webpages posted or authorized by them which advertise any system related to the purchase or sale of commodity interest contracts and/or management of any accounts for the purchase or sale of commodity interest contracts; and

b. deliver, to all customers whose commodity interest accounts are traded or managed by Defendants Rusfeldt and Rusfeldt Investment d/b/a Currency Trading Made Easy, a notice in writing stating that:

On March 12, 2007, the Commodity Futures Trading Commission (Commission) filed a Complaint against Aden Rusfeldt (Rusfeldt) and Rusfeldt Investments LLP (Rusfeldt Investments), doing business as Currency Trading Made Easy, in the United States District Court for the Southern District of Texas (District Court). The Complaint alleges that Rusfeldt and Rusfeldt Investments violated Section 4b(a)(2)(i) and (iii) of the Act, 7 U.S.C. §§ 6b(a)(i) and (iii) (2002), of the Commodity Exchange Act and Commission Regulation 1.1(b)(1) and (3), 17 C.F.R. 1.1(b)(1) and (3) (2006). With the consent of the Commission, Rusfeldt and Rusfeldt Investments, the District Court has ordered Rusfeldt and Rusfeldt Investments to stop soliciting and trading commodity interest contracts on behalf of others until final adjudication of the lawsuit. Therefore, within two (2) days of receipt of this notice you must transfer management of your commodity interest account to someone other than Rusfeldt, Rusfeldt Investments d/b/a Currency Trading Made Easy, or their officers, agents, servants, employees or anyone acting in concert or participation with them. You may, of course, simply revoke in writing the power of attorney granting Rusfeldt and/or Rusfeldt Investments d/b/a Currency Trading Made Easy authority to trade your account and manage the account(s) yourself. If you do not take action within two (2) days, all open positions in your account will be liquidated.

6. At the conclusion of ~~two (2)~~ ^{four (4)} days following the issuance of this Order, immediately liquidate or cause to be liquidated all open positions in accounts of all customers whose commodity interest accounts are traded or managed by Defendants Rusfeldt and Rusfeldt Investment d/b/a Currency Trading Made Easy and who have not transferred management of their account(s) to another trader or revoked the power of attorney granted to the Defendants.

7. Within five (5) days of the issuance of this Order, Defendants, Rusfeldt and Rusfeldt Investments shall deliver to the Commission (c/o its counsel) a certification in writing that they have complied with the requirements of Paragraph 5 above. The certification shall include:

a. a list of all websites and webpages posted or authorized by them which advertise any system related to the purchase or sale of commodity interest contracts and/or management of any accounts for the purchase or sale of commodity interest contracts and the date removed;

b. a list of all customers to whom the notice described in Paragraph 5.b, above, was delivered, the date on which notice was delivered and the means by which notice was delivered; and

c. a list of all accounts, by customer name, firm and account number, in which the Defendants liquidated open positions.


III.
BOND NOT REQUIRED OF PLAINTIFF

IT IS FURTHER ORDERED that Plaintiff Commission is an agency of the United States of America and, accordingly, no bond need be posted by the Commission.

IV.
FORCE AND EFFECT

IT IS FURTHER ORDERED that this Order shall remain in full force and effect until further order of this Court, and that this Court retains jurisdiction of this matter for all purposes.

SO ORDERED, at Galveston, Texas, this 21st day of March, 2007.



SAMUEL B. KENT
UNITED STATES DISTRICT JUDGE

Respectfully Submitted,

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Dated: March ____, 2007