

Commodity Futures Trading Commission  
CEA CASES

**NAME:** RODGER HARRIS

**DOCKET NUMBER:** 170

**DATE:** MARCH 11, 1970

**DOCUMENT TYPE:** COMPLAINT

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re: Rodger Harris, Respondent

CEA Docket No. 170

Complaint and Notice of Hearing Under the Commodity Exchange Act

There is reason to believe that the respondent, Rodger Harris, has violated the Commodity Exchange Act (7 U.S.C. Chapter 1, 1964 ed., as amended, Supp. IV, 1969), and in accordance with the provisions of sections 6(b) and 6(c) of the said Act (7 U.S.C. 9 and 13b, Supp. IV, 1969), this complaint and notice of hearing is issued stating the charges in that respect as follows:

I

The respondent, Rodger Harris, an individual whose business address is 110 North Franklin Street, Chicago, Illinois 60606, was at all times material herein employed as the manager of the New Orleans, Louisiana, office of The Siegel Trading Co., Inc., a commodity brokerage firm. The said firm was, at all times material herein, a registered futures commission merchant under the Commodity Exchange Act, and a member of the Chicago Mercantile Exchange and the New York Mercantile Exchange, both duly designated contract markets under the Commodity Exchange Act.

II

At all times material herein, Mrs. Wilodyne Hooper maintained a commodity futures account at The Siegel Trading Co., Inc., and at all such times the respondent personally handled the trading in such account.

III

The futures transactions, referred to in this complaint, relate to the purchase and sale of Maine-grown Irish potato futures contracts on the New York Mercantile Exchange, each of which contracts calls for the delivery of 50,000 pounds of such potatoes. Such contracts could have been used for (a) hedging transactions in interstate commerce in potatoes or the products or by-products thereof, (b) determining the price basis of transactions in interstate commerce in potatoes, and (c) delivering potatoes sold, shipped or received in interstate commerce for the fulfillment of such futures contracts.

IV

Acting without the knowledge or consent of Mrs. Wilodyne Hooper, the respondent: (1) On April 23 and 25, 1968, placed in her account at The Siegel Trading Co., Inc., a total of four May 1968 potato futures contracts, which established a new long position in such futures for such account; and (2) On May 1, 1968, liquidated such long position at prices which resulted in a net loss of approximately \$ 1,500.00 to Mrs. Wilodyne Hooper's account.

V

By reason of the facts alleged in this complaint, the respondent attempted to cheat and defraud and did cheat and defraud, a person in or in connection with the making of contracts of sale of commodities for future delivery on or subject to the rules of a contract market, in wilful violation of section 4b of the Commodity Exchange Act (7 U.S.C. 6b, Supp. IV, 1969).

WHEREFORE, it is hereby ordered that this complaint and notice of hearing be served upon the respondent and this proceeding shall be governed by sections 0.1, 0.2, 0.4(b), 0.5 through 0.22, and 0.28 of the rules of practice under the Commodity Exchange Act (17 CFR 0.1, 0.2, 0.4(b), 0.5 through 0.22, and 0.28). The respondent will have twenty (20) days after the receipt of this complaint in which to file with the Hearing Clerk, United States Department of Agriculture, Washington, D. C. 20250, an answer with an original and three copies, fully and completely stating the nature of the defense and admitting or denying, specifically and in detail, each allegation of this complaint. Allegations not answered will be deemed admitted for the purposes of this proceeding. Failure to file an answer will constitute an admission of all allegations of this complaint and a waiver of hearing. The filing of an answer in which all of the material allegations of fact contained in this complaint are admitted likewise shall constitute a waiver of hearing unless a hearing is requested. The respondent is hereby notified that unless a hearing is waived, a

hearing will be held at 10:00 a.m. local time, on April 15, 1970, in Chicago, Illinois, at a place therein to be specified later, before a referee designated to conduct such hearing. At such hearing, the respondent will have the right to appear and show cause, if any there be, why an appropriate order should not be issued in accordance with the Commodity Exchange Act, (1) prohibiting the respondent from trading on or subject to the rules of any contract market, and directing that all contract markets refuse all trading privileges to the respondent for such period of time as may be determined, and (2) directing that the respondent shall cease and desist from violating the Commodity Exchange Act in the manner alleged herein.

It is ordered that this complaint and notice of hearing be served on the respondent at least twenty (20) days prior to the date set for hearing.

Done at Washington, D.C.

March 11, 1970

[SEE SIGNATURE IN ORIGINAL]

Richard E. Lyng

Assistant Secretary

**LOAD-DATE:** June 16, 2008

