

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**COMMODITY FUTURES TRADING
COMMISSION,**

Plaintiff,

v.

RUDY AVILA et al.,

Defendants.

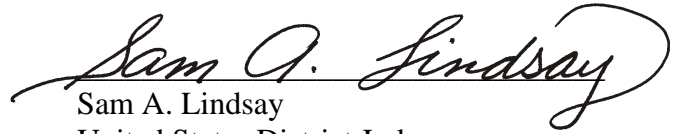
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Civil Action No. **3:21-cv-02184-L**

CLARIFICATION ORDER

On August 1, 2024, the court entered a Memorandum Opinion and Order (“Order”) (Doc. 46) granting Plaintiff’s Motions for Default against Defendants. In the Order, the court awarded Plaintiff’s requests for civil monetary fees against all Defendants; however, it inadvertently did not clarify the amount of civil monetary fees imposed against Defendant Rudy Avila. The court, therefore, issues this order to clarify the oversight. As stated in the Order, the court determines that Defendants should be ordered to pay a civil monetary penalty in the amount of \$214,514 per violation. *See* 7 U.S.C. § 13a–1(d)(1) (2018) (stating that the court has authority to impose, on any person found to have committed any violation of the Act, a civil monetary penalty in the amount of not more than the greater of the statutory prescribed amount of \$214,514 per violation or triple the monetary gain to the person for each violation); 17 C.F.R. § 143.8(b)(1) (same). Accordingly, Defendant Rudy Avila is ordered to pay civil monetary fees in the amount of \$1,525,831.05, which is triple the amount he benefited from in both schemes (\$508,610.35 * 3). Cazakoff Decl. ¶ 19.

It is so ordered this 7th day of August, 2024.

A handwritten signature in black ink that reads "Sam A. Lindsay". The signature is written in a cursive style with a large, sweeping flourish at the end of the word "Lindsay".

Sam A. Lindsay
United States District Judge